

Calendar No. 173

100TH CONGRESS
1ST SESSION

S. 1394

[Report No. 100-75]

To authorize appropriations for fiscal year 1988 for the Department of State, the United States Information Agency, the Board for International Broadcasting, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 1987

Mr. PELL, from the Committee on Foreign Relations, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 1988 for the Department of State, the United States Information Agency, the Board for International Broadcasting, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the “For-
5 eign Relations Authorization Act, Fiscal Year 1988”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.

TITLE I—THE DEPARTMENT OF STATE

PART A—AUTHORIZATION OF APPROPRIATIONS; ALLOCATIONS OF FUNDS;
RESTRICTIONS

- Sec. 101. Administration of foreign affairs.
Sec. 102. Contributions to international organizations and conferences; international
peacekeeping activities.
Sec. 103. International commissions.
Sec. 104. Migration and refugee assistance.
Sec. 105. The Asia Foundation and other programs.
Sec. 106. Reduction of capital construction account.
Sec. 107. Consular posts and diplomatic missions abroad.
Sec. 108. Contribution to the regular budget of the International Committee of the
Red Cross.
Sec. 109. Restriction on use of funds for “public diplomacy” efforts.

PART B—ADMINISTRATIVE AND PERSONNEL PROVISIONS

- Sec. 111. Restriction on supervision of Government employees by chiefs of mission.
Sec. 112. Pay level of ambassadors at large.
Sec. 113. Compensation.
Sec. 114. Extension of limited appointments.
Sec. 115. Repeal of Office of Policy and Program Review.
Sec. 116. Carry-over of Senior Foreign Service performance pay.
Sec. 117. Survivor and health benefits for certain former spouses.
Sec. 118. Benefits for certain former spouses of members of the Foreign Service.
Sec. 119. Elimination of unnecessary reporting requirements.
Sec. 120. Clarification of jurisdiction of Foreign Service Grievance Board.
Sec. 121. Protection of Civil Service career employees.
Sec. 122. Compensation of Fascell fellows.
Sec. 123. Competence and professionalism in the conduct of foreign policy.

PART C—BUILDINGS AND FACILITIES

- Sec. 131. Preservation of museum character of portions of Department of State
building.
Sec. 132. Authority to insure the furnishings of State Department diplomatic recep-
tion rooms.
Sec. 133. Financial reciprocity with foreign countries.
Sec. 134. The new Soviet embassy.
Sec. 135. Embassy security.
Sec. 136. Official residence for the Secretary of State.
Sec. 137. Prohibition on the use of funds for facilities in Israel, Jerusalem, or the
West Bank.

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PART D—INTERNATIONAL ORGANIZATIONS

- Sec. 141. Reform in the budget decision-making procedures of the United Nations and its specialized agencies.
- Sec. 142. Immunities for the International Committee on the Red Cross.
- Sec. 143. Israel's participation in the Economic and Social Council of the United Nations.
- Sec. 144. Appointment of secretaries to the North Atlantic Assembly delegations.
- Sec. 145. Protection of Tyre by the United Nations Interim Force in Lebanon.

TITLE II—THE UNITED STATES INFORMATION AGENCY

- Sec. 201. Authorization of appropriations; allocation of funds.
- Sec. 202. Voice of America.
- Sec. 203. Bureau of Educational and Cultural Affairs.
- Sec. 204. National Endowment for Democracy.
- Sec. 205. East-West Center.
- Sec. 206. Posts and personnel overseas.
- Sec. 207. The Arts America program.
- Sec. 208. Congressional grant notification.
- Sec. 209. Forty-year leasing authority.
- Sec. 210. Receipts from English-teaching, library, motion picture, and television programs.
- Sec. 211. Professorship on constitutional democracy.
- Sec. 212. United States-India Fund.
- Sec. 213. United States-Pakistan Fund.
- Sec. 214. United States Information Agency programming on Afghanistan.
- Sec. 215. United States Advisory Commission on Public Diplomacy.
- Sec. 216. The Edward Zorinsky Memorial Library.
- Sec. 217. Contractor requirements.

TITLE III—THE BOARD FOR INTERNATIONAL BROADCASTING

- Sec. 301. Authorization of appropriations; allocation of funds.
- Sec. 302. Currency gains.
- Sec. 303. Certification of certain creditable service.

TITLE IV—THE GLOBAL CLIMATE PROTECTION ACT OF 1987

- Sec. 401. Short title.
- Sec. 402. Findings.
- Sec. 403. Task Force on the Global Climate.
- Sec. 404. Report to Congress.
- Sec. 405. Ambassador at Large.
- Sec. 406. International Year of Global Climate Protection.
- Sec. 407. Climate protection and United States-Soviet relations.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Enforcement of Case Act requirements.
- Sec. 502. Federal jurisdiction of direct actions against insurers of diplomatic agents.
- Sec. 503. Prohibition on use of funds for political purposes.
- Sec. 504. Prohibition on exclusion of aliens because of political beliefs.
- Sec. 505. Authority to invest and recover expenses from international claims settlement funds.
- Sec. 506. Payment of the claim of Joseph Karel Hasek from the Czechoslovakian Claims Fund.
- Sec. 507. Prohibition on international first class air travel by Congressional staff.

- Sec. 508. Public access to United Nations War Crimes Commission files.
- Sec. 509. Policy on Afghanistan.
- Sec. 510. Policy toward the Iran-Iraq war.
- Sec. 511. Iranian persecution of the Baha'is.
- Sec. 512. Refugees from Southeast Asia.
- Sec. 513. Policy toward South Korea.
- Sec. 514. Policy toward North Korea.
- Sec. 515. Policy against persecution of Christians in Eastern Europe and the Soviet Union.
- Sec. 516. Concerning observance by the Government of Romania of the human rights of Hungarians in Transylvania, especially the right of self-determination.

TITLE VI—EFFECTIVE DATE

- Sec. 601. Effective date.

1 TITLE I—THE DEPARTMENT OF STATE

2 PART A—AUTHORIZATION OF APPROPRIATIONS;

3 ALLOCATIONS OF FUNDS; RESTRICTIONS

4 SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

5 (a) AUTHORIZATION OF APPROPRIATIONS.—The fol-
 6 lowing amounts are authorized to be appropriated for fiscal
 7 year 1988 for the Department of State under “Administra-
 8 tion of Foreign Affairs” to carry out the authorities, func-
 9 tions, duties, and responsibilities in the conduct of the foreign
 10 affairs of the United States:

11 (1) For “Salaries and Expenses” of the Depart-
 12 ment of State (other than the Diplomatic Security Pro-
 13 gram), \$1,599,600,000.

14 (2) For representation allowances, emergencies in
 15 the diplomatic and consular service, and the payment
 16 to the American Institute in Taiwan, \$17,839,000.

17 (3) For “Salaries and Expenses” of the Diplomati-
 18 c Security Program, \$100,000,000.

1 (4) For the protection of foreign missions and offi-
2 cials, \$9,100,000.

3 (b) USE OF PRIOR FISCAL YEAR AND FISCAL YEAR
4 1988 DIPLOMATIC SECURITY FUNDS.—(1) Notwithstanding
5 any other provision of law or any reprogramming require-
6 ment, the Secretary of State may use any funds appropriated
7 pursuant to section 401(a)(1)(B) of the Diplomatic Security
8 Act or funds appropriated for fiscal year 1988 pursuant to
9 section 401(a)(3) of such Act for any component of the Diplo-
10 matic Security Program and for the “Acquisition and Mainte-
11 nance of Buildings Abroad”.

12 (2) Notwithstanding any other provision of law or any
13 reprogramming requirement, of the funds appropriated pursu-
14 ant to section 401(a)(3) of the Diplomatic Security Act for
15 fiscal year 1988, \$323,000,000 shall be available for the
16 “Acquisition and Maintenance of Buildings Abroad” and
17 \$74,262,000 shall be available for “Salaries and Expenses”
18 of the Diplomatic Security Program.

19 SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-
20 TIONS AND CONFERENCES; INTERNATIONAL
21 PEACEKEEPING ACTIVITIES.

22 (a) INTERNATIONAL ORGANIZATIONS.—There are au-
23 thorized to be appropriated to the Department of State under
24 “Contributions to International Organizations”,
25 \$571,000,000 for fiscal year 1988 in order to carry out the

1 authorities, functions, duties, and responsibilities in the con-
2 duct of the foreign affairs of the United States with respect to
3 international organizations, of which amount—

4 (1) \$193,188,000 shall be available only for the
5 United States assessed contribution to the United
6 Nations;

7 (2) \$63,857,000 shall be available only for the
8 United States assessed contribution to the World
9 Health Organization;

10 (3) \$31,443,000 shall be available only for the
11 United States assessed contribution to the International
12 Atomic Energy Agency;

13 (4) \$44,915,000 shall be available only for the
14 United States assessed contribution to the Organization
15 of American States; and

16 (5) \$38,659,000 shall be available only for the
17 United States assessed contribution to the Pan-Ameri-
18 can Health Organization.

19 (b) INTERNATIONAL PEACEKEEPING ACTIVITIES.—

20 There are authorized to be appropriated to the Department of
21 State under "Contributions to International Peacekeeping
22 Activities", \$29,400,000 for fiscal year 1988 in order to
23 carry out the authorities, functions, duties, and responsibil-
24 ities in the conduct of the foreign affairs of the United States
25 with respect to international peacekeeping activities.

1 (c) INTERNATIONAL CONFERENCES AND CONTINGEN-
2 CIES.—There are authorized to be appropriated to the De-
3 partment of State under “International Conferences and
4 Contingencies”, \$5,460,000 for fiscal year 1988 in order to
5 carry out the authorities, functions, duties, and responsibil-
6 ities in the conduct of the foreign affairs of the United States
7 with respect to international conferences and contingencies.

8 SEC. 103. INTERNATIONAL COMMISSIONS.

9 There are authorized to be appropriated to the Depart-
10 ment of State under “International Commissions”,
11 \$29,200,000 for fiscal year 1988 in order to carry out the
12 authorities, functions, duties, and responsibilities in the con-
13 duct of the foreign affairs of the United States with respect to
14 international commissions.

15 SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

16 (a) AUTHORIZATION OF APPROPRIATIONS.—There are
17 authorized to be appropriated to the Department of State
18 under “Migration and Refugee Assistance”, \$314,450,000
19 for fiscal year 1988 in order to carry out the authorities,
20 functions, duties, and responsibilities in the conduct of the
21 foreign affairs of the United States with respect to migration
22 and refugee assistance.

23 (b) ALLOCATION OF FUNDS.—Of the amount author-
24 ized to be appropriated by subsection (a)—

1 (1) \$25,000,000 shall be available only for assist-
2 ance for refugees resettling in Israel; and

3 (2) \$28,000,000 shall be available only for assist-
4 ance for East Asian refugees.

5 **SEC. 105. THE ASIA FOUNDATION AND OTHER PROGRAMS.**

6 (a) **THE ASIA FOUNDATION.**—(1) Section 404 of The
7 Asia Foundation Act (22 U.S.C. 4401 et seq.) is amended to
8 read as follows:

9 “SEC. 404. There are authorized to be appropriated to
10 the Secretary of State \$15,000,000 for fiscal year 1988 for
11 grants to The Asia Foundation pursuant to this title.”.

12 (2) The amendment made by paragraph (1) shall take
13 effect on October 1, 1987.

14 (b) **OTHER PROGRAMS.**—There are authorized to be ap-
15 propriated for fiscal year 1988 to the Department of State for
16 the following programs:

17 (1) For Bilateral Science and Technology Agree-
18 ments, \$1,900,000.

19 (2) For Soviet-East European Research and
20 Training, \$5,000,000.

21 **SEC. 106. REDUCTION OF CAPITAL CONSTRUCTION ACCOUNT.**

22 Section 401(a)(3) of the Diplomatic Security Act (22
23 U.S.C. 4851(a)(3)) is amended to read as follows:

24 “(3) **CAPITAL CONSTRUCTION, FISCAL YEARS**
25 **1988 THROUGH 1990.**—There are authorized to be

1 appropriated for the Department of State for 'Acquisi-
2 tion and Maintenance of Buildings Abroad' for fiscal
3 year 1988, \$397,262,000, and for each of the fiscal
4 years 1989 through 1990, \$417,962,000, to carry out
5 diplomatic security construction, acquisition, and oper-
6 ations pursuant to the Department of State's Supple-
7 mental Diplomatic Security Program.'".

8 **SEC. 107. CONSULAR POSTS AND DIPLOMATIC MISSIONS**
9 **ABROAD.**

10 (a) **PROHIBITION.**—No funds authorized to be appropri-
11 ated by this Act or any other Act shall be available to pay
12 any expense related to the closing of any United States con-
13 sulate or mission abroad. No funds authorized to be appropri-
14 ated by this Act shall be used to pay for any expense related
15 to the Bureau of Administration of the Department of State
16 or any of its functions if any United States consulate or mis-
17 sion is closed after January 1, 1987, and is not reopened.

18 (b) **ALLOCATION OF FUNDS.**—(1) Of the funds author-
19 ized to be appropriated by section 101 for the "Administra-
20 tion of Foreign Affairs", not less than \$500,000,000 shall be
21 available only to operate United States consulates in Salz-
22 burg, Strasbourg, Goteborg, Lyon, Dusseldorf, Tangier,
23 Genoa, Nice, Porto Alegre, and Maracaibo.

24 (2) Of the funds allocated by paragraph (1), during fiscal
25 year 1988, funds in excess of those needed to operate these

1 consulates for such fiscal year may be used for other purposes
2 under the "Administration of Foreign Affairs" if all consul-
3 ates referred to in paragraph (1) are open and functioning.

4 (c) WAIVER.—Subsection (a) shall not apply to any post
5 closed—

6 (1) because of a break or downgrading of diplo-
7 matic relations between the United States and the
8 country in which the post is located;

9 (2) where there is a real and present threat to
10 American diplomats in the city where the post is locat-
11 ed and where a travel advisory warning against Ameri-
12 can travel to the city has been issued by the Depart-
13 ment of State; or

14 (3) when the post is closed so as to provide funds
15 to open a new post, staffed by at least one full-time
16 Foreign Service officer, and where the Secretary of
17 State, prior to the closing of the post, prepares and
18 transmits to the Committee on Foreign Relations of
19 the Senate and the Committee on Foreign Affairs of
20 the House of Representatives a report stating that—

21 (A) the new post is a higher priority than the
22 post proposed to be closed; and

23 (B) the total number of consulates and mis-
24 sions abroad is not less than the number of such
25 posts in existence on January 1, 1987.

1 SEC. 108. CONTRIBUTION TO THE REGULAR BUDGET OF THE
2 INTERNATIONAL COMMITTEE OF THE RED
3 CROSS.

4 (a) UNITED STATES CONTRIBUTION.—Pursuant to the
5 provisions of section 109 of the Foreign Relations Authoriza-
6 tion Act, Fiscal Years 1986 and 1987, the Secretary of State
7 shall make a contribution to the regular budget of the Inter-
8 national Committee of the Red Cross of an amount equal to
9 not less than 20 percent of its regular budget. Such contribu-
10 tion may be made from the funds authorized to be appropri-
11 ated by section 104 for migration and refugee assistance.

12 (b) REPROGRAMMING AUTHORITY FOR CERTAIN EAR-
13 MARKED FUNDS.—Notwithstanding any other provision of
14 law, allocations of funds within the account for “Migration
15 and Refugee Assistance” for fiscal year 1988 may be repro-
16 grammed for other purposes within that same account if the
17 requirements of the designated programs are fully met.

18 (c) LIMITATION ON CONTRIBUTIONS.—Notwithstand-
19 ing subsection (a), beginning in fiscal year 1988, the United
20 States contribution in any fiscal year to the International
21 Committee for the Red Cross shall not exceed the amount
22 contributed by the United States to the International Com-
23 mittee for the Red Cross in fiscal year 1987 until Israel’s
24 Red Shield of David has been granted the identical status of
25 recognition with the Red Cross and the Red Crescent.

1 SEC. 109. RESTRICTION ON USE OF FUNDS FOR "PUBLIC DIP-
2 LOMACY" EFFORTS.

3 (a) IN GENERAL.—Except as provided in subsection (b),
4 none of the funds authorized to be appropriated by this Act
5 for the Department of State may be used by any bureau,
6 office, or other unit of the Department of State to make any
7 contract or purchase order agreement, on or after the date of
8 enactment of this Act, with any individual, group, organiza-
9 tion, partnership, corporation, or other entity for the purpose
10 of—

11 (1) providing advice or assistance for any program
12 for foreign representatives of any civic, labor, business,
13 or humanitarian group during any visit to Washington,
14 D.C., or any other location within the United States;

15 (2) providing contact with any refugee group or
16 exile in Washington, D.C., or elsewhere in the United
17 States, including the arranging of any media event,
18 interview, or public appearance;

19 (3) translating articles on regions of the world and
20 making them available for distribution to United States
21 news organizations or public interest groups;

22 (4) providing points of contact for public interest
23 groups seeking to interview exiles, refugees, or other
24 visitors;

25 (5) coordinating or accompanying media visits to
26 any region of the world;

1 (6) providing source material relating to regional
2 conflicts for public diplomacy efforts;

3 (7) providing or presenting, in writing or orally,
4 factual material on security considerations, refugee
5 problems, or political dynamics of any region of the
6 world for use on public diplomacy efforts;

7 (8) editing briefs or other materials for use on
8 public diplomacy efforts;

9 (9) conducting special studies or projects for use
10 on public diplomacy efforts;

11 (10) designing or organizing a distribution system
12 for materials for use on public diplomacy efforts; or

13 (11) directing the operation of this distribution
14 system, including—

15 (A) development of specialized, segmented
16 addressee lists of persons or organizations which
17 have solicited materials or information on any
18 region of the world;

19 (B) computerization, coding, maintenance, or
20 updating of lists;

21 (C) retrieval, storage, mailing, or shipping of
22 individual or bulk packets of publications;

23 (D) maintenance or control of inventory or
24 reserve stocks of materials;

25 (E) distribution of materials;

1 (F) coordinating publication production; or

2 (G) conducting systematic evaluations of the
3 system.

4 (b) EXCEPTION.—Subsection (a) does not apply to any
5 contract or purchase order agreement made, after competi-
6 tive bidding, by or for the Bureau of Public Affairs of the
7 Department of State.

8 (c) LIMITATION ON USE OF FUNDS.—Of the funds au-
9 thorized to be appropriated by this or any other Act, not
10 more than \$389,000 may be used in any fiscal year to fi-
11 nance the activities set forth in subsection (a).

12 **PART B—ADMINISTRATIVE AND PERSONNEL PROVISIONS**

13 **SEC. 111. RESTRICTION ON SUPERVISION OF GOVERNMENT**

14 **EMPLOYEES BY CHIEFS OF MISSION.**

15 Section 207 of the Foreign Service Act of 1980 (22
16 U.S.C. 3927) is amended—

17 (1) in subsection (a)(1), by inserting “executive
18 branch” after “Government”;

19 (2) in subsection (a)(2), by inserting “executive
20 branch” after “Government” the second place it
21 occurs; and

22 (3) in subsection (b), by inserting “executive
23 branch” after “Any”.

1 SEC. 112. PAY LEVEL OF AMBASSADORS AT LARGE.

2 (a) COMPENSATION.—Chapter 53 of title 5 of the
3 United States Code is amended—

4 (1) in section 5313, by striking out “Ambassadors
5 at Large.”; and

6 (2) in section 5315, by adding at the end thereof
7 the following:

8 “Ambassadors at Large.”.

9 (b) APPLICATION.—The amendments made by subsec-
10 tion (a)(1) shall not affect the salary of individuals holding the
11 rank of Ambassador at Large immediately before the date of
12 enactment of this Act.

13 SEC. 113. COMPENSATION.

14 The State Department Basic Authorities Act (22
15 U.S.C. 2669 et seq.) is amended—

16 (1) in section 35(b), by inserting after the second
17 sentence thereof the following new sentence: “The Co-
18 ordinator shall be compensated at the annual rate for
19 positions authorized by section 5315 of title 5, United
20 States Code.”; and

21 (2) in section 203(a), by inserting at the end
22 thereof the following new sentence: “The Director
23 shall be compensated at the annual rate for positions
24 authorized by section 5315 of title 5, United States
25 Code.”.

1 **SEC. 114. EXTENSION OF LIMITED APPOINTMENTS.**

2 Section 309 of the Foreign Service Act of 1980 (22
3 U.S.C. 3949) is amended—

4 (1) by striking out “section 311(a)” and inserting
5 in lieu thereof “subsection (b)”;

6 (2) by designating the text, as so amended, as
7 subsection (a); and

8 (3) by adding at the end thereof the following new
9 subsection:

10 “(b) A limited appointment may be extended for contin-
11 ued service as—

12 “(1) a consular agent;

13 “(2) a family member as provided in section
14 311(a);

15 “(3) a career candidate, if continued service is de-
16 termined appropriate to remedy a matter that would be
17 cognizable as a grievance under chapter 11; or

18 “(4) a career employee in another Federal person-
19 nel system serving in a Foreign Service position on
20 detail from another agency.”.

21 **SEC. 115. REPEAL OF OFFICE OF POLICY AND PROGRAM**
22 **REVIEW.**

23 (a) **REPEAL.**—Subsection (b) of section 413 of the Dip-
24 lomatic Security Act (22 U.S.C. 4861(b)) is repealed.

25 (b) **CONFORMING AMENDMENTS.**—Section 413(a) of
26 such Act (22 U.S.C. 4861(a)) is amended—

1 (1) by striking out “(a)” and all that follows
2 through “STATE.—”; and

3 (2) by redesignating paragraphs (1) through (5) as
4 subsections (a) through (e), respectively.

5 **SEC. 116. CARRY-OVER OF SENIOR FOREIGN SERVICE PER-**
6 **FORMANCE PAY.**

7 Section 405(b) of the Foreign Service Act of 1980 (22
8 U.S.C. 3965(b)) is amended—

9 (1) in paragraph (4), by inserting at the end there-
10 of the following: “Any amount which is not paid to a
11 member of the Senior Foreign Service during a fiscal
12 year because of this limitation shall be paid to that in-
13 dividual in a lump sum at the beginning of the follow-
14 ing fiscal year. Any amount paid under this authority
15 during a fiscal year shall be taken into account for pur-
16 poses of applying the limitation in the first sentence of
17 this subparagraph with respect to such fiscal year.”;
18 and

19 (2) by adding at the end thereof the following:

20 “(5) The Secretary of State shall prescribe regula-
21 tions, consistent with section 5582 of title 5, United
22 States Code, under which payment under this section
23 shall be made in the case of any individual whose
24 death precludes payment under paragraph (4) of this
25 subsection.”.

1 SEC. 117. SURVIVOR AND HEALTH BENEFITS FOR CERTAIN
2 FORMER SPOUSES.

3 (a) IN GENERAL.—Chapter 8 of the Foreign Service
4 Act of 1980 (22 U.S.C. 3901 et seq.) is amended by inserting
5 after section 829 the following new sections:

6 “SEC. 830. SURVIVOR BENEFITS FOR CERTAIN
7 FORMER SPOUSES.—(a)(1) Any individual who was a former
8 spouse of a participant or former participant on February 14,
9 1981, shall be entitled, to the extent of available appropria-
10 tions, and except to the extent such former spouse is disquali-
11 fied under subsection (b), to a survivor annuity equal to 55
12 per centum of the greater of—

13 “(A) the full amount of the participant’s or former
14 participant’s annuity, as computed under chapter 8 of
15 this Act; or

16 “(B) the full amount of what such annuity as so
17 computed would be if the participant or former partici-
18 pant had not withdrawn a lump-sum portion of contri-
19 butions made with respect to such annuity.

20 “(2) A survivor annuity payable under this section shall
21 be reduced by an amount equal to the amount of retirement
22 benefits, not including benefits under title II of the Social
23 Security Act, received by the former spouse which are attrib-
24 utable to previous employment of such former spouse by the
25 United States.

1 “(b) A former spouse shall not be entitled to a survivor
2 annuity under this section if—

3 “(1) an election has been made with respect to
4 such former spouse under section 2109;

5 “(2) the former spouse is designated a beneficiary
6 of the employee as a person with an insurable interest;

7 “(3) the former spouse remarries before age 55;

8 “(4) the former spouse is less than 50 years of
9 age; or

10 “(5) the former spouse was not married to the
11 participant at least 10 years during service of the par-
12 ticipant which is creditable under this chapter with at
13 least 5 years occurring while the participant was a
14 member of the Foreign Service.

15 “(c)(1) The entitlement of a former spouse to a survivor
16 annuity under this section—

17 “(A) shall commence—

18 “(i) in the case of a former spouse of a par-
19 ticipant or former participant who is deceased as
20 of the effective date of this section, beginning on
21 the later of—

22 “(I) the 60th day after such date; or

23 “(II) the date such former spouse
24 reaches the age 50; and

1 “(ii) in the case of any other former spouse,
2 beginning on the latest of—

3 “(I) the date that the participant or
4 former participant to whom the former
5 spouse was married dies;

6 “(II) the 60th day after the effective
7 date of this section; or

8 “(III) the date such former spouse
9 reaches age 50; and

10 “(B) shall terminate on the last day of the month
11 before the former spouse's death or remarriage before
12 attaining the age 55.

13 “(2)(A) A survivor annuity under this section shall not
14 be payable unless appropriate written application is provided
15 to the Secretary, complete with any supporting documenta-
16 tion which the Secretary may by regulation require, within
17 30 months after the effective date of this section.

18 “(B) Upon approval of an application provided under
19 subparagraph (A), the appropriate survivor annuity shall be
20 payable to the former spouse with respect to all periods
21 before such approval during which the former spouse was
22 entitled to such annuity under this section, but in no event
23 shall a survivor annuity be payable under this section with
24 respect to any period before the effective date of this section.

25 “(d) The Secretary shall—

1 “(1) as soon as possible, but not later than 60
2 days after the effective date of this section, issue such
3 regulations as may be necessary to carry out this sec-
4 tion; and

5 “(2) to the extent practicable, and as soon as pos-
6 sible, inform each individual who was a former spouse
7 of a participant or former participant on February 14,
8 1981, of any rights which such individual may have
9 under this section.

10 “SEC. 831. HEALTH BENEFITS FOR CERTAIN
11 FORMER SPOUSES.—(a) Except as provided in subsection
12 (c)(1), any individual—

13 “(1) formerly married to an employee or former
14 employee of the Foreign Service, whose marriage was
15 dissolved by divorce or annulment before May 7, 1985;

16 “(2) who, at any time during the eighteen-month
17 period before the divorce or annulment became final,
18 was covered under a health benefits plan as a member
19 of the family of such employee or former employee;
20 and

21 “(3) who was married to such employee for not
22 less than ten years during periods of government serv-
23 ice by such employee, is eligible for coverage under a
24 health benefits plan in accordance with the provisions
25 of this section.

1 “(b)(1) Any individual eligible for coverage under sub-
2 section (a) may enroll in a health benefits plan for self alone
3 or for self and family if, before the expiration of the 6-month
4 period beginning on the effective date of this section, and in
5 accordance with such procedures as the Director of the Office
6 of Personnel Management shall by regulation prescribe, such
7 individual—

8 “(A) files an election for such enrollment; and

9 “(B) arranges to pay currently into the Employ-
10 ees Health Benefits Fund under section 8909 of title 5,
11 United States Code, an amount equal to the sum of the
12 employee and agency contributions payable in the case
13 of an employee enrolled under chapter 89 of such title
14 in the same health benefits plan and with the same
15 level of benefits.

16 “(2) The Secretary shall, as soon as possible, take all
17 steps practicable—

18 “(A) to determine the identity and current address
19 of each former spouse eligible for coverage under sub-
20 section (a); and

21 “(B) to notify each such former spouse of that
22 individual's rights under this section.

23 “(3) The Secretary shall waive the 6-month limitation
24 set forth in paragraph (1) in any case in which the Secretary
25 determines that the circumstances so warrant.

1 “(c)(1) Any former spouse who remarries before age 55
2 is not eligible to make an election under subsection (b)(1).

3 “(2) Any former spouse enrolled in a health benefits
4 plan pursuant to an election under subsection (b)(1) may con-
5 tinue the enrollment under the conditions of eligibility which
6 the Director of the Office of Personnel Management shall by
7 regulation prescribe, except that any former spouse who re-
8 marries before age 55 shall not be eligible for continued en-
9 rollment under this section after the end of the 31-day period
10 beginning on the date of remarriage.

11 “(d) No individual may be covered by a health benefits
12 plan under this section during any period in which such indi-
13 vidual is enrolled in a health benefits plan under any other
14 authority, nor may an individual be covered under more than
15 one enrollment under this section.

16 “(e) For purposes of this section, the term ‘health bene-
17 fits plan’ means an approved health benefits plan under chap-
18 ter 89 of title 5, United States Code.”.

19 (b) CONFORMING AMENDMENT.—The table of contents
20 in section 2 of the Foreign Service Act of 1980 is amended
21 by inserting after the item relating to section 829 the follow-
22 ing new items:

“Sec. 830. Survivor benefits for certain former spouses.

“Sec. 831. Health benefits for certain former spouses.”.

1 (c) **EFFECTIVE DATE.**—The amendments made by this
2 section shall take effect on October 1, 1987, or 90 days after
3 the date of enactment, whichever is later.

4 **SEC. 118. BENEFITS FOR CERTAIN FORMER SPOUSES OF MEM-**
5 **BERS OF THE FOREIGN SERVICE.**

6 (a) **IN GENERAL.**—Subchapter I of Chapter 8 of the
7 Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.), as
8 amended by section 117, is further amended by inserting
9 after section 829 (22 U.S.C. 4069) the following:

10 **“SEC. 832. RETIREMENT BENEFITS FOR CERTAIN FORMER**
11 **SPOUSES.**

12 “(a) Any individual who was a former spouse of a par-
13 ticipant or former participant on February 14, 1981, shall be
14 entitled, to the extent of available appropriations, and except
15 to the extent such former spouse is disqualified under subsec-
16 tion (b), to benefits—

17 “(1) if married to the participant throughout the
18 creditable service of the participant, equal to 50 per-
19 cent of the benefits of the participant; or

20 “(2) if not married to the participant throughout
21 such creditable service, equal to that former spouse’s
22 pro rata share of 50 percent of such benefits.

23 “(b) A former spouse shall not be entitled to benefits
24 under this section if—

1 “(1) the former spouse remarries before age 55;

2 or

3 “(2) the former spouse was not married to the
4 participant at least 10 years during service of the par-
5 ticipant which is creditable under this chapter with at
6 least 5 years occurring while the participant was a
7 member of the Foreign Service.

8 “(c)(1) The entitlement of a former spouse to benefits
9 under this section—

10 “(A) shall commence on the later of—

11 “(i) the day the participant upon whose serv-
12 ice the benefits are based becomes entitled to ben-
13 efits under this chapter; or

14 “(ii) the first day of the month in which the
15 divorce or annulment involved becomes final; and

16 “(B) shall terminate on the earlier of—

17 “(i) the last day of the month before the
18 former spouse dies or remarries before 55 years of
19 age; or

20 “(ii) the date the benefits of the participant
21 terminates.

22 “(2) Notwithstanding paragraph (1), in the case of any
23 former spouse of a disability annuitant—

24 “(A) the benefits of the former spouse shall com-
25 mence on the date the participant would qualify on the

1 basis of his or her creditable service for benefits under
2 this chapter (other than a disability annuity) or the
3 date the disability annuity begins, whichever is later,
4 and

5 “(B) the amount of benefits of the former spouse
6 shall be calculated on the basis of benefits for which
7 the participant would otherwise so qualify.

8 “(3) Benefits under this section shall be treated the
9 same as an annuity under section 814(a)(7) for purposes of
10 section 806(h) or any comparable provision of law.

11 “(4)(A) Benefits under this section shall not be payable
12 unless appropriate written application is provided to the Sec-
13 retary, complete with any supporting documentation which
14 the Secretary may by regulation require, within 30 months
15 after the effective date of this section. The Secretary may
16 waive the 30-month application requirement under this sub-
17 paragraph in any case in which the Secretary determines that
18 the circumstances so warrant.

19 “(B) Upon approval of an application provided under
20 subparagraph (A), the appropriate benefits shall be payable to
21 the former spouse with respect to all periods before such ap-
22 proval during which the former spouse was entitled to such
23 benefits under this section, but in no event shall benefits be
24 payable under this section with respect to any period before
25 the effective date of this section.

1 “(d) For the purposes of this section, the term ‘benefits’
2 means—

3 “(1) with respect to a participant or former partic-
4 ipant subject to this subchapter, the annuity of the par-
5 ticipant or former participant; and

6 “(2) with respect to a participant or former partic-
7 ipant subject to subchapter II, the benefits of the par-
8 ticipant or former participant under that subchapter.

9 “(e) Nothing in this section shall be construed to impair,
10 reduce, or otherwise affect the annuity or the entitlement to
11 an annuity of a participant or former participant under this
12 chapter.”.

13 (b) CONFORMING AMENDMENT.—The table of contents
14 in section 2 of the Foreign Service Act of 1980, as amended
15 by section 117, is further amended by inserting after the item
16 relating to section 831 the following new item:

“Sec. 832. Retirement benefits for certain former spouses.”.

17 (c) EFFECTIVE DATE.—The amendments made by this
18 section shall take effect on October 1, 1987, or 90 days after
19 the date of enactment of this Act, whichever is later.

20 **SEC. 119. ELIMINATION OF UNNECESSARY REPORTING**
21 **REQUIREMENTS.**

22 (a) REPORT ON PERSONNEL ACTIONS IN THE FOR-
23 EIGN SERVICE.—Section 105(d)(2) of the Foreign Service
24 Act of 1980 (22 U.S.C. 3905(d)(2)) is amended to read as
25 follows:

1 “(2) The Secretary shall transmit to each House of Con-
2 gress the Department’s reports on its equal employment op-
3 portunity and affirmative action programs and its minority
4 recruitment programs, which reports are required by law,
5 regulation, or directive to be submitted to the Equal Employ-
6 ment Opportunity Commission (EEOC) or the Office of Per-
7 sonnel Management (OPM). Each such report shall be trans-
8 mitted to the Congress at least once annually, and shall be
9 received by the Congress not later than 30 days after its
10 original submission to the Equal Employment Opportunity
11 Commission or the Office of Personnel Management.”.

12 (b) REPORT ON USE OF FOREIGN SERVICE PERSON-
13 NEL BY FEDERAL AGENCIES.—Section 601(c) of such Act
14 (22 U.S.C. 4001(c)) is amended by adding at the end thereof
15 the following new paragraph:

16 “(4) Not later than March 1 of each year, the Secretary
17 of State shall submit a report to the Speaker of the House of
18 Representatives and to the Committee on Foreign Relations
19 of the Senate which shall—

20 “(A) describe the steps taken and planned in fur-
21 therance of—

22 “(i) maximum compatibility among agencies
23 utilizing the Foreign Service personnel system, as
24 provided for in section 203, and

1 “(ii) the development of uniform policies and
2 procedures and consolidated personnel functions,
3 as provided for in section 204;

4 “(B) specify the upper and lower limits planned
5 by each such agency for recruitment, advancement,
6 and retention of members of the Service, as provided
7 for in section 601(c)(2), including, with respect to each
8 of the relevant promotion competition groups, the pro-
9 jected ranges of rates of appointment, promotion, and
10 attrition over each of the next 5 fiscal years, as well as
11 a comparison of such projections with the projections
12 for the preceding year and with actual rates of appoint-
13 ment, promotion, and attrition, including a full expla-
14 nation of any deviations from projections reported in
15 the preceding year; and

16 “(C) specify the numbers of members of the Serv-
17 ice who are assigned to positions classified under sec-
18 tion 501 which are more than one grade higher or
19 lower than the personal rank of the member.”.

20 (c) REPEALS.—(1) Subsection (f) of section 703 of such
21 Act (22 U.S.C. 4023) and section 2402 (22 U.S.C. 4173) of
22 such Act are repealed.

23 (2) Section 152(c) of the Foreign Relations Authoriza-
24 tion Act, Fiscal Years 1986 and 1987 (99 Stat. 428) is
25 repealed.

1 SEC. 120. CLARIFICATION OF JURISDICTION OF FOREIGN
2 SERVICE GRIEVANCE BOARD.

3 (a) BOARD DECISIONS.—Section 1107(d) of the Foreign
4 Service Act of 1980 (22 U.S.C. 4137(d)) is amended—

5 (1) in the third sentence, by striking out “would
6 be contrary to law or”; and

7 (2) by adding at the end thereof the following new
8 sentence: “Any recommendation of the Board which is
9 not rejected by the Secretary on the basis that it would
10 adversely affect the foreign policy or national security
11 of the United States shall be considered to be a final
12 action for the purposes of judicial review under section
13 1110 of this Act as of the time of the issuance of the
14 recommendation by the Board.”.

15 (b) SEPARATION FOR CAUSE.—The second sentence of
16 section 610(a)(2) of the Foreign Service Act of 1980 (22
17 U.S.C. 4010(a)(2)) is amended—

18 (1) by inserting “and authority” after “The hear-
19 ing”;

20 (2) by striking out “hearing procedures” and in-
21 serting in lieu thereof “provisions”; and

22 (3) by striking out “section 1106” and inserting in
23 lieu thereof “chapter 11”.

24 (c) APPLICATION.—The amendments made by this sec-
25 tion shall not apply with respect to any grievance in which
26 the Board has issued a final decision pursuant to section

1 1107 of the Foreign Service Act of 1980 before the date of
2 enactment of this Act.

3 **SEC. 121. PROTECTION OF CIVIL SERVICE EMPLOYEES.**

4 (a) **FINDINGS.**—The Congress finds that—

5 (1) the effectiveness and efficiency of the Depart-
6 ment of State is dependent not only on the contribution
7 of Foreign Service employees but equally on the con-
8 tribution of the 42 percent of the Department's em-
9 ployees who are employed under the Civil Service per-
10 sonnel system;

11 (2) the contribution of these Civil Service employ-
12 ees has been overlooked in the management of the De-
13 partment and that greater equality of promotion, train-
14 ing, and career enhancement opportunities should be
15 accorded to the Civil Service employees of the Depart-
16 ment; and

17 (3) a goal of the Foreign Service Act of 1980 was
18 to strengthen the contribution made by Civil Service
19 employees of the Department of State by creating a
20 cadre of experienced specialists and managers in the
21 Department to provide essential continuity.

22 (b) **EQUITABLE REDUCTION OF BUDGET.**—The Secre-
23 tary of State shall take all appropriate steps to assure that
24 the burden of cuts in the budget for the Department is not

1 imposed disproportionately or inequitably upon its Civil Serv-
2 ice employees.

3 (c) ESTABLISHMENT OF THE OFFICE OF THE OM-
4 BUDSMAN FOR CIVIL SERVICE EMPLOYEES.—There is es-
5 tablished in the Office of the Secretary of State the position
6 of Ombudsman for Civil Service Employees. The Ombuds-
7 man for Civil Service Employees shall report directly to the
8 Secretary of State and shall have the right to participate in
9 all Management Council meetings to assure that the ability of
10 the Civil Service employees to contribute to the achievement
11 of the Department's mandated responsibilities and the career
12 interests of those employees are adequately represented.

13 (d) DEFINITION.—For purposes of this section, the term
14 "Civil Service employees" means employees of the Federal
15 Government who are paid under chapter 53 or 54 of title 5,
16 United States Code.

17 **SEC. 122. COMPENSATION OF FASCELL FELLOWS.**

18 Section 1005(b) of the Diplomatic Security Act (22
19 U.S.C. 4904(b)) is amended to read as follows:

20 "(b) AUTHORITIES.—Fellows may be deemed to be
21 Federal employees for the purposes of the Foreign Service
22 Act of 1980 (22 U.S.C. 301 et seq.), title 5 of the United
23 States Code, and all other laws governing Federal employ-
24 ment, except that, in lieu of compensation under such au-
25 thorities, Fellows may be compensated through a contractual

1 agreement under the provisions of section 2(c) of the State
2 Department Basic Authorities Act of 1956.”.

3 **SEC. 123. COMPETENCE AND PROFESSIONALISM IN THE CON-**
4 **DUCT OF FOREIGN POLICY.**

5 (a) **POLICY ON TRAINING.**—It is the sense of the Con-
6 gress that the United States should have as a fundamental
7 national goal the strengthening of competence and profes-
8 sionalism in the conduct of United States foreign policy. To
9 accomplish this goal, the Congress finds that the national in-
10 terest requires that the Department of State and other for-
11 eign affairs agencies make a maximum investment in pro-
12 grams to train its foreign policy professionals. The Congress
13 further finds that the new national training center in foreign
14 affairs, authorized by chapter 7 of the Foreign Service Act of
15 1980 and section 842(b) of the Military Construction Act,
16 1986, is cost effective and will provide the United States
17 with significant new capabilities to meet this national goal.

18 (b) **POLICY ON DESIGNS FOR NEW CENTER.**—It is fur-
19 ther the sense of the Congress that the Secretary of State
20 should, subject to the availability of funds and any repro-
21 gramming requirements, proceed with base architectural and
22 engineering design programs for this national training center.

1 **PART C—BUILDINGS AND FACILITIES**

2 **SEC. 131. PRESERVATION OF MUSEUM CHARACTER OF POR-**
3 **TIONS OF DEPARTMENT OF STATE BUILDING.**

4 (a) **AUTHORITY.**—The Secretary of State shall adminis-
5 ter and regulate the museum areas of the Department of
6 State (hereafter in this section referred to as “the museum
7 areas”) by such means and measures as conform to the fun-
8 damental purpose of the museum areas, which purpose is to
9 conserve the architecture, furnishings, and historic objects
10 therein and to provide for the enjoyment of the same in such
11 manner and by such means as will leave them unimpaired for
12 the use and enjoyment of future generations. In carrying out
13 this section primary attention shall be given to the preserva-
14 tion and interpretation of their present museum character,
15 but nothing done under this section shall conflict with the
16 administration of the Department of State or with the use of
17 the museum areas for official purposes of the Department of
18 State.

19 (b) **ARTICLES SUBJECT TO DISPOSITION.**—Articles of
20 furniture, fixtures, and decorative objectives of the museum
21 areas, together with such similar articles, fixtures, and ob-
22 jects as may be acquired by the Secretary of State, when
23 declared by the Secretary of State to be of historic or artistic
24 interest, shall thereafter be considered to be the property of

1 the Secretary of State in his official capacity and shall be
2 subject to disposition solely in accordance with this section.

3 (c) DISPOSITION OF ARTICLES.—Whenever the Secre-
4 tary of State determines that any of the articles described in
5 subsection (b) are no longer needed for use or display in the
6 museum areas or that, in order to upgrade the museum areas,
7 a better use of such article would be its sale or exchange, the
8 Secretary is authorized, with the advice and concurrence of
9 the Director of the National Gallery of Art, to sell the arti-
10 cles at fair market value or to trade them, without regard to
11 the requirements of the Federal Property and Administrative
12 Services Act of 1949. The proceeds of any such sale may be
13 credited to the unconditional gift account of the Department
14 of State, and items obtained in trade shall be the property of
15 the Secretary of State under this section. The Secretary of
16 State may also lend such articles, when not needed for use or
17 display in the museum areas, to the Smithsonian Institution,
18 or similar institutions, for care, repair, study, storage, or
19 exhibition.

20 (d) DEFINITION.—For purposes of this section, the term
21 “museum areas of the Department of State” means the areas
22 of the Department of State Building, located at 2201 C
23 Street, Northwest, Washington, District of Columbia, known
24 as the Diplomatic Reception Rooms (eighth floor), the Secre-
25 tary of State’s offices (seventh floor), the Deputy Secretary of

1 State's offices (seventh floor), and the seventh floor reception
2 area.

3 **SEC. 132. AUTHORITY TO INSURE THE FURNISHINGS OF STATE**
4 **DEPARTMENT DIPLOMATIC RECEPTION**
5 **ROOMS.**

6 Section 3 of the State Department Basic Authorities
7 Act of 1956 (22 U.S.C. 2670) is amended—

8 (1) by striking out “and” at the end of subsec-
9 tion (i);

10 (2) by striking out the period at the end of subsec-
11 tion (j) and inserting in lieu thereof “; and”; and

12 (3) by adding at the end thereof the following:

13 “(k) obtain insurance on the furnishings, including
14 works of art and antiques, which may from time-to-
15 time be within the responsibility of the Fine Arts Com-
16 mittee of the Department of State for the Diplomatic
17 Rooms of the Department.”.

18 **SEC. 133. FINANCIAL RECIPROCITY WITH FOREIGN COUN-**
19 **TRIES.**

20 (a) **FINDINGS.**—The Congress finds that—

21 (1) the cost of operating United States missions in
22 the Soviet Union has been raised to excessive levels by
23 the imposition of artificially high exchange rates which
24 are virtually confiscatory and bear no reasonable rela-

1 tionship to the value of the Russian ruble on any free
2 world market;

3 (2) the United States missions in the Soviet Union
4 must pay either in artificially high rubles or in Ameri-
5 can currency calculated on the same artificial basis
6 and, moreover, charges for services to the United
7 States and other Western nations are higher than those
8 charged to other nations; and

9 (3) in view of the current difficulties for the
10 United States in operating its missions in other East-
11 ern European countries as well as in the Soviet Union,
12 it is time that these imbalances are corrected and reci-
13 procity ensured.

14 (b) REPORTING REQUIREMENT.—(1)(A) Beginning 12
15 months after the date of enactment of this Act, and every 12
16 months thereafter, the Secretary of State shall determine and
17 so report in writing to the Congress the extent to which the
18 cost of operating a United States diplomatic, consular, or
19 other official mission in the Soviet Union or in any country
20 member of the Warsaw Pact, including the cost of acquiring
21 currency necessary therefor, does not bear a reasonable
22 relationship to—

23 (i) the cost of establishing and operating institu-
24 tional activities by other entities in that country; or

1 (ii) the value of such currencies determined at a
2 free market rate in accordance with standards
3 established in coordination with the Secretary of the
4 Treasury.

5 (B) The annual report required under subparagraph (A)
6 shall be submitted by the Director of the Office of Foreign
7 Missions as part of the annual report of the Department of
8 State to the Congress.

9 (2) In the case of any country in which costs are deter-
10 mined not to bear a reasonable relationship to the cost or
11 value established pursuant to paragraph (1), the Secretary of
12 State shall adjust the cost to such country, including the
13 Soviet Union, of any benefits (as defined in section 202 of the
14 Foreign Missions Act) received in the United States.

15 (3) Not later than 60 days after the date of enactment of
16 this Act, the Secretary of State, in coordination with the Sec-
17 retary of the Treasury, shall report to the appropriate author-
18 izing and appropriating committees of the Congress on plans
19 to implement this section. Such plans shall include—

20 (A) the regulation of foreign missions' access to,
21 and use of, financial services in the United States;

22 (B) the regulation of costs of acquisition and dis-
23 position of real property or other assets in the United
24 States, including the regulation of amounts to be re-

1 tained by such a mission as a precondition of authoriz-
2 ing a disposition of any property interest; and

3 (C) the use of surcharges authorized under the
4 Foreign Missions Act.

5 (c) DEFINITION OF "BENEFIT".—Paragraph (1) of sec-
6 tion 202(a) of the Foreign Missions Act (22 U.S.C.
7 4302(a)(1)) is amended—

8 (1) by striking out "and" at the end of clause (E);

9 (2) in clause (F), by inserting "and" after "serv-
10 ices,"; and

11 (3) by inserting after clause (F) the following new
12 clause:

13 “(G) financial and currency exchange serv-
14 ices,”.

15 SEC. 134. THE NEW SOVIET EMBASSY.

16 Notwithstanding any other provision of law, ~~the Soviet~~
17 ~~Union shall not be permitted to occupy (including~~ making use
18 of any communication equipment or electronic surveillance
19 equipment) the new chancery building at its new embassy
20 complex on Mount Alto in Washington, D.C., or any other
21 new facility in the Washington, D.C., metropolitan area until
22 the Secretary of ~~State~~ and the ~~Director of Central Intelli-~~
23 gence certify to the Speaker of the House of Representatives
24 and the chairmen of the Committee on Foreign Relations and
25 the Select Committee on Intelligence of the Senate ~~that there~~

1 is a new ~~United States chancery~~ building in Moscow which is
2 ~~secure~~ and suitable for United States embassy operations,
3 including operations involving classified information.

4 SEC. 135. EMBASSY SECURITY.

5 (a) THE UNITED STATES CHANCERY IN MOSCOW.—
6 ~~Not later than August 31, 1987,~~ the Secretary of State shall
7 prepare and transmit to the chairman of the Committee on
8 ~~Foreign Relations~~ and the ~~Select Committee on Intelligence~~
9 of the Senate and to the ~~Speaker of the House~~ of Representa-
10 tives a detailed and specific report which shall include—

11 (1) a ~~complete list of options~~ for disposition of the
12 partially constructed United States chancery building
13 in Moscow that will result in a secure facility, together
14 with the amount of the anticipated cost of implement-
15 ing each option and a ~~comprehensive plan for the~~
16 ~~implementation of each option;~~

17 (2) a description of the ~~recommended option~~ of the
18 Secretary of State for the disposition of the partially
19 constructed chancery building in Moscow along with a
20 detailed ~~explanation of the reasons for~~ selecting the
21 recommended option and an action plan for promptly
22 carrying out such recommendation; and

23 (3) a discussion of the feasibility of providing secu-
24 rity for the new residential units in the United States

1 Embassy compound in Moscow, along with the ~~cost of~~
2 any such program.

3 (b) TASK FORCE ON THE MANAGEMENT OF SECURITY
4 AND FOREIGN BUILDINGS BY THE DEPARTMENT OF
5 STATE.—(1) The Congress finds that—

6 (A) serious deficiencies exist in the management
7 and construction by the Department of State of build-
8 ings overseas;

9 (B) the security function has been plagued by an
10 inability to anticipate threats or to respond to threats;
11 and

12 (C) the operations of the Foreign Buildings Office
13 have been characterized by cost overruns, delays, inad-
14 equacies of design, deficient construction supervision,
15 and other management flaws.

16 (2) There is established a ~~Task Force on Management of~~
17 ~~Security and Foreign Buildings by~~ the Department of State.
18 ~~The Secretary of State shall serve as Chairman~~ of the Task
19 ~~Force and the Director of Central Intelligence shall serve as~~
20 ~~Vice-Chairman~~. Such representatives of other appropriate
21 government agencies as the President may designate shall
22 serve on the Task Force.

23 (3) Not later than August 31, 1987, the Chairman of
24 the Task Force shall ~~transmit to the chairman of the Com-~~
25 ~~mittee on Foreign Relations~~ of the Senate and the Speaker of

1 the House of Representatives a report to be prepared by the
 2 Task Force setting forth a program to improve the manage-
 3 ment of the security function and the Foreign Buildings
 4 Office so as to correct management deficiencies, to insure
 5 better protection of American personnel overseas, to safe-
 6 guard adequately sensitive national security information, and
 7 to achieve efficient construction of embassies. Such report
 8 shall include a detailed analysis of the organization of the
 9 security and embassy construction functions within the De-
 10 partment of State, together with any recommendations for
 11 the reorganization and consolidation of these functions.

12 (c) REPORT ON THE SOVIET DIPLOMATIC ENCLAVE
 13 AT MOUNT ALTO.—Not later than August 31, 1987, the
 14 Secretary of State, in consultation with the Director of the
 15 Central Intelligence, shall prepare and transmit to the chair-
 16 man of the Committee on Foreign Relations and the chair-
 17 man of the Select Committee on Intelligence of the Senate
 18 and to the Speaker of the House of Representatives, in a
 19 suitably classified form, a report on the status of the Soviet
 20 diplomatic enclave on Mount Alto in Washington, D.C. Such
 21 report shall include—

22 (1) an assessment of whether United States secu-
 23 rity interests would be better served by vitiating the
 24 agreements under which the Soviet Union will occupy

1 the Mount Alto site, together with an assessment of
2 the costs and consequences of vitiating the agreements;

3 (2) an ~~assessment of the benefit to Soviet intelli-~~
4 ~~gence collection of~~ the location of the Soviet chancery
5 on Mount Alto and of the concomitant threat to sensi-
6 tive United States Government communications;

7 (3) an enumeration of ~~measures that could be~~
8 ~~taken to thwart~~ Soviet intelligence collection activities
9 from Mount Alto, together with the cost of each such
10 measure; and

11 (4) a description of the personnel resources, office
12 space, and housing facilities available to the United
13 States in the Soviet Union and to the Soviet Union in
14 the United States, together with an assessment as to
15 whether ~~parity exists~~ and, if ~~the United States does not~~
16 have parity with the Soviet Union, ~~the measures~~
17 required to be taken to achieve parity.

18 (d) ACCOUNTABILITY REVIEW BOARD.—(1)(A) Not
19 later than 30 days after the date of enactment of this Act, the
20 Secretary of State shall establish an Accountability Review
21 Board as described in title III of the Diplomatic Security
22 Act, as amended by this section. ~~Such Accountability Review~~
23 ~~Board shall review all government actions, procedures, and~~
24 policies relating to the United States Embassy in Moscow

1 and the Soviet Embassy in Washington, as called for by such
2 title.

3 (B) The second sentence of section 301 of the Diplo-
4 matic Security Act, as added by this subsection, shall not
5 apply to the Accountability Review Board established under
6 subparagraph (A).

7 (2) Section 301 of the Diplomatic Security Act (22
8 U.S.C. 4831) is amended—

9 (A) by inserting after “mission abroad” the fol-
10 lowing: “or in any case of serious breach of security
11 involving intelligence activities of a foreign government
12 directed at a United States Government mission
13 abroad,”; and

14 (B) by inserting after the first sentence thereof the
15 following new sentence: “With respect to breaches of
16 ~~security involving intelligence activities, the Secretary~~
17 ~~of State may delay establishing the Accountability~~
18 ~~Review Board if he determines that doing so would~~
19 ~~compromise intelligence sources and methods and~~
20 ~~promptly so advises the Select Committee on Intelli-~~
21 ~~gence of the Senate and the Permanent Select Com-~~
22 ~~mittee on Intelligence of the House of Representa-~~
23 ~~tives.”.~~

24 (3) Section 304(a) of the Diplomatic Security Act (22
25 U.S.C. 4834) is amended in the text above paragraph (1) by

1 inserting after "mission abroad" the following: ", or sur-
2 rounding the serious breach of security involving intelligence
3 activities of a foreign government directed at a United States
4 Government mission abroad (as the case may be),".

5 (e) CERTIFICATION BY THE SECRETARY OF STATE.—

6 ~~No funds may be obligated or expended for the construction~~
7 ~~or major renovation of any diplomatic facility that is intended~~

8 to be secure for the purpose of transmitting, storing, or re-
9 ceiving classified information unless the Secretary of State,
10 with the concurrence of the Director of the Central Intelli-
11 gence, certifies in writing to the chairman of the Committee
12 on Foreign Relations of the Senate and the Speaker of the
13 House of Representatives that the proposed construction
14 project includes adequate safeguards for classified information
15 and for the conducting of sensitive government activity.

16 (f) POLICY ON PERIODIC INSPECTIONS.—It is the sense
17 of the Congress that the security of all diplomatic facilities
18 and personnel would be significantly enhanced by periodic
19 unannounced security inspections conducted by an appropri-
20 ate agency of the United States Government.

21 (g) CERTIFICATION OF THE SECURITY OF RECENT
22 EMBASSY CONSTRUCTION.—(1) Not later than Decem-
23 ber 31, 1987, the Secretary of State and the Director of the
24 Central Intelligence shall certify in writing to the chairman
25 of the Committee on Foreign Relations of the Senate and the

1 ~~Speaker of the House of Representatives that all United~~
2 ~~States foreign missions in the Soviet Union and all Eastern~~
3 ~~European countries provide—~~

4 (A) adequate protection for classified information
5 and national security-related activities; and

6 (B) adequate protection for the personnel working
7 in the diplomatic facility.

8 (2) For any mission for which the certification required
9 by paragraph (1) cannot be made, the Secretary of State and
10 the Director of the Central Intelligence shall provide a de-
11 scription of the deficiencies which make such certification
12 impossible.

13 (3) Not later than December 31, 1988, the Secretary of
14 State shall certify to the chairman of the Committee on For-
15 eign Relations of the Senate and the Speaker of the House of
16 Representatives the information described in clauses (A) and
17 (B) of paragraph (1) and, where applicable, the information
18 described in paragraph (2), with respect to all United States
19 foreign missions in countries designated by the Secretary of
20 State and the Director of Central Intelligence as "high
21 threat" posts, including terrorist and intelligence threats.

22 **SEC. 136. OFFICIAL RESIDENCE FOR THE SECRETARY OF**
23 **STATE.**

24 (a) **IN GENERAL.**—The State Department Basic Au-
25 thorities Act of 1956 is amended—

1 (1) by redesignating section 41 as section 42; and

2 (2) by inserting after section 40 the following new

3 section:

4 "OFFICIAL RESIDENCE FOR THE SECRETARY OF STATE

5 "SEC. 41. (a) The Department of State may construct,
6 or acquire by purchase or gift, a suitable permanent residence
7 within the Washington, D.C., area for the Secretary of State.
8 The Department shall not use any appropriated funds to fi-
9 nance such construction or acquisition, but instead shall make
10 use of funds and other property obtained pursuant to section
11 25 of the State Department Basic Authorities Act of 1956.
12 To the extent funds are provided in advance in appropriation
13 Acts, the Department may insure this residence and its
14 related real and personal property. In carrying out the pur-
15 poses of this section, the Department may use the authorities
16 contained in section 208(d).

17 "(b) The Department shall periodically advise the Con-
18 gress on activities undertaken pursuant to this section."

19 (b) REPEAL.—Section 130 of the Foreign Relations
20 Authorization Act, Fiscal Years 1986 and 1987 (Public Law
21 99-93; 22 U.S.C. 2697 note) is repealed.

22 (c) APPLICATION.—The amendment made by subsec-
23 tion (a) shall apply with respect to any Secretary of State
24 appointed after the date of enactment of this Act.

1 **SEC. 137. PROHIBITION ON THE USE OF FUNDS FOR FACILI-**
2 **TIES IN ISRAEL, JERUSALEM, OR THE WEST**
3 **BANK.**

4 None of the funds authorized to be appropriated by this
5 Act, or any amendment made by this Act, may be obligated
6 or expended for site acquisition, development, or construction
7 of any facility in Israel, Jerusalem, or the West Bank.

8 **PART D—INTERNATIONAL ORGANIZATIONS**

9 **SEC. 141. REFORM IN THE BUDGET DECISION-MAKING PROCE-**
10 **DURES OF THE UNITED NATIONS AND ITS SPE-**
11 **CIALIZED AGENCIES.**

12 (a) **FINDINGS.**—The Congress finds that the consensus
13 based decision-making procedure established by General As-
14 sembly Resolution 41/213 is a significant step toward com-
15 plying with the intent of section 143 of the Foreign Relations
16 Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C.
17 287e note; 99 Stat. 405), as in effect before the date of
18 enactment of this Act.

19 (b) **REFORM.**—Section 143 of the Foreign Relations
20 Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C.
21 287e note; 99 Stat. 405), is amended to read as follows:
22 **“SEC. 143. REFORM IN BUDGET DECISION-MAKING PROCE-**
23 **DURES OF THE UNITED NATIONS AND ITS SPE-**
24 **CIALIZED AGENCIES.**

25 **“(a) FINANCIAL RESPONSIBILITY IN BUDGET PROCE-**
26 **DURES.**—To achieve greater financial responsibility in prepa-

1 ration of the assessed budgets of the United Nations and its
2 specialized agencies, the President should continue vigorous
3 efforts to secure implementation by the United Nations, and
4 adoption and implementation by its specialized agencies, of
5 decision-making procedures on budgetary matters which as-
6 sures that sufficient attention is paid to the views of the
7 United States and other member states who are major finan-
8 cial contributors to such assessed budgets.

9 “(b) LIMITATION ON ASSESSED CONTRIBUTIONS.—(1)
10 With respect to United States assessed contributions to the
11 United Nations for each calendar year beginning with calen-
12 dar year 1987—

13 “(A) 40 percent of the funds available for pay-
14 ment of such contributions may be used for such contri-
15 butions beginning on October 1 of such calendar year;

16 “(B) 40 percent of such funds may be used for
17 such contributions beginning on December 15 of the
18 same calendar year if the President has determined and
19 so reported to the Congress that the consensus based
20 decision-making procedure established by General As-
21 sembly Resolution 41/213 is being implemented and
22 its results respected by the General Assembly; and

23 “(C) 20 percent of such funds may be used for
24 such contributions beginning on a date which is 30 leg-
25 islative days after receipt by the Congress of the report

1 described in clause (B) unless the Congress within such
2 30-day period enacts, in accordance with subsection
3 (c), a joint resolution prohibiting the payment of the
4 remaining 20 percent of such funds.

5 “(2) For each calendar year beginning with calendar
6 year 1987, no payment may be made of an assessed contribu-
7 tion by the United States to any of the specialized agencies of
8 the United Nations if such payment would cause the United
9 States share of the total assessed budget for such agency to
10 exceed 20 percent in any calendar year unless the President
11 determines and so reports to the Congress that such agency
12 has made substantial progress toward the adoption and im-
13 plementation of decision-making procedures on budgetary
14 matters in a manner that substantially achieves the greater
15 financial responsibility referred to in subsection (a).

16 “(3) Subject to the availability of appropriations, when
17 the presidential determinations referred to in paragraphs
18 (1)(B) and (2) have been made, payment of assessed contribu-
19 tions for prior years may be made to the United Nations or
20 its specialized agencies (as the case may be) without regard
21 to the contribution limitation contained in this section prior to
22 its being amended by the Foreign Relations Authorization
23 Act, Fiscal Year 1988.

24 “(c) DEFINITION AND PROCEDURES.—(1)(A) The pro-
25 visions of this subsection shall apply to the introduction and

1 consideration in a House of Congress of a joint resolution
2 described in subsection (a)(1)(C).

3 “(B) For purposes of this subsection, the term ‘joint res-
4 olution’ means only a joint resolution introduced within 3 leg-
5 islative days after the date on which the report of the Presi-
6 dent described in subsection (a)(1)(B) is received by Congress,
7 the matter after the resolving clause of which is as follows:
8 ‘That the payment to the United Nations of those contribu-
9 tions described in section 143(b)(1)(C) of the Foreign Rela-
10 tions Authorization Act, Fiscal Years 1986 and 1987, is
11 prohibited’.

12 “(C) For purposes of this subsection, the term ‘legisla-
13 tive day’ means a day on which the respective House of Con-
14 gress is in session.

15 “(2) A joint resolution introduced in the House of Rep-
16 resentatives shall be referred to the Committee on Foreign
17 Affairs of the House of Representatives. A joint resolution
18 introduced in the Senate shall be referred to the Committee
19 on Foreign Relations of the Senate. Such a joint resolution
20 may not be reported before the 8th legislative day after its
21 introduction.

22 “(3) If the committee to which is referred a joint resolu-
23 tion has not reported such joint resolution (or an identical
24 joint resolution) at the end of 15 legislative days after its
25 introduction, such committee shall be deemed to be dis-

1 charged from further consideration of such joint resolution
2 and such joint resolution shall be placed on the appropriate
3 calendar of the House involved.

4 “(4)(A) When the committee to which a joint resolution
5 is referred has reported, or has been deemed to be discharged
6 (under paragraph (3)) from further consideration of, a joint
7 resolution, it is at any time thereafter in order (even though a
8 previous motion to the same effect has been disagreed to) for
9 any Member of the respective House to move to proceed to
10 the consideration of the joint resolution, and all points of
11 order against the joint resolution (and against consideration
12 of the joint resolution) are waived. The motion is highly privi-
13 leged in the House of Representatives and is privileged in the
14 Senate and is not debatable. The motion is not subject to
15 amendment, or to a motion to postpone, or to a motion to
16 proceed to the consideration of other business. A motion to
17 reconsider the vote by which the motion is agreed to or dis-
18 agreed to shall not be in order. If a motion to proceed to the
19 consideration of the joint resolution is agreed to, the joint
20 resolution shall remain the unfinished business of the respec-
21 tive House until disposed of.

22 “(B) Debate on the joint resolution, and on all debatable
23 motions and appeals in connection therewith, shall be limited
24 to not more than 10 hours, which shall be divided equally
25 between those favoring and those opposing the joint resolu-

1 tion. A motion further to limit debate is in order and not
2 debatable. An amendment to or a motion to postpone, or a
3 motion to proceed to the consideration of other business, or a
4 motion to recommit the joint resolution is not in order. A
5 motion to reconsider the vote by which the joint resolution is
6 agreed to or disagreed to is not in order.

7 “(C) Immediately following the conclusion of the debate
8 on a joint resolution, and a single quorum call at the conclu-
9 sion of the debate if requested in accordance with the rules of
10 the appropriate House, the vote on final passage of the joint
11 resolution shall occur.

12 “(D) Appeals from the decisions of the Chair relating to
13 the application of the Rules of the Senate or the House of
14 Representatives, as the case may be, to the procedure relat-
15 ing to a joint resolution shall be decided without debate.

16 “(5) If, before the passage by one House of a joint reso-
17 lution of that House, that House receives from the other
18 House a joint resolution, then the following procedures shall
19 apply:

20 “(A) The joint resolution of the other House shall
21 not be referred to a committee.

22 “(B) With respect to a joint resolution of the
23 House receiving the joint resolution—

1 “(i) the procedure in that House shall be the
2 same as if no joint resolution had been received
3 from the other House; but

4 “(ii) the vote on final passage shall be on the
5 joint resolution of the other House.

6 “(6) This subsection is enacted by the Congress—

7 “(A) as an exercise of rulemaking power of the
8 Senate and House of Representatives, respectively, and
9 as such it is deemed a part of the rules of each House,
10 respectively, but applicable only with respect to the
11 procedure to be followed in that House in the case of a
12 joint resolution, and it supersedes other rules only to
13 the extent that it is inconsistent with such rules; and

14 “(B) with full recognition of the constitutional
15 right of either House to change the rules (so far as re-
16 lating to the procedure of that House) at any time, in
17 the same manner and to the same extent as in the case
18 of any other rule of that House.

19 “(e) **TERMINATION DATE.**—This section shall termi-
20 nate on September 30, 1989.”.

21 **SEC. 142. IMMUNITIES FOR THE INTERNATIONAL COMMITTEE**
22 **ON THE RED CROSS.**

23 The International Organizations Immunities Act is
24 amended by inserting after section 12 (22 U.S.C. 228f-2) the
25 following new section:

1 "INTERNATIONAL COMMITTEE OF THE RED CROSS; EX-
2 TENSION OF PRIVILEGES AND IMMUNITIES TO MEM-
3 BERS

4 "SEC. 12A. The International Committee of the Red
5 Cross, in view of its unique status as an impartial humanitari-
6 an body named in the Geneva Conventions of 1949 and as-
7 sisting in their implementation, shall be considered to be an
8 international organization for the purposes of this Act and
9 may be extended the provisions of this Act in the same
10 manner, to the same extent, and subject to the same condi-
11 tions, as such provisions may be extended to a public interna-
12 tional organization in which the United States participates
13 pursuant to any treaty or under the authority of any Act of
14 Congress authorizing such participation or making an appro-
15 priation for such participation."

16 SEC. 143. ISRAEL'S PARTICIPATION IN THE ECONOMIC AND
17 SOCIAL COUNCIL OF THE UNITED NATIONS.

18 Section 115 of the Department of State Authorization
19 Act, Fiscal Years 1984 and 1985, is amended by adding at
20 the end thereof the following new subsection:

21 "(c) If Israel is denied its legal right to participate in the
22 Economic and Social Council of the United Nations, or a
23 subsidiary organ thereof, then the United States shall sus-
24 pend participation in the Economic and Social Council until
25 Israel is permitted to participate fully."

1 SEC. 144. APPOINTMENT OF SECRETARIES TO THE NORTH
2 ATLANTIC ASSEMBLY DELEGATIONS.

3 Section 1 of Public Law 84-689 is amended by adding
4 at the end thereof the following new sentences: "Each dele-
5 gation shall have a secretary. The secretaries of the Senate
6 and House delegations shall be appointed, respectively, by
7 the chairman of the Committee on Foreign Relations of the
8 Senate and the chairman of the Committee on Foreign
9 Affairs of the House of Representatives."

10 SEC. 145. PROTECTION OF TYRE BY THE UNITED NATIONS
11 INTERIM FORCE IN LEBANON.

12 (a) FINDINGS.—The Congress finds that—

13 (1) the archaeological site of the ancient city of
14 Tyre is an important part of the heritage of the people
15 of Lebanon and of people everywhere;

16 (2) war and civil strife threaten the survival of the
17 archaeological site at Tyre;

18 (3) the purchase of artifacts from Tyre, including
19 purchases allegedly made by troops of the United Na-
20 tions Interim Force in Lebanon (UNIFIL), is encour-
21 aging illegal excavation and looting of the Tyre site;
22 and

23 (4) the United Nations Interim Force in Lebanon
24 (UNIFIL) could best protect the archaeological site of
25 Tyre so as to preserve this treasure for future genera-
26 tions.

1 (b) EXTENSION OF MANDATE OF UNIFIL.—The Sec-
2 retary of State is directed to request the Secretary General of
3 the United Nations and the Security Council to extend the
4 mandate of the United Nations Interim Force in Lebanon
5 (UNIFIL) to include protection of the archaeological site of
6 the ancient city of Tyre. The Secretary of State is further
7 directed to seek an order prohibiting the purchase of any arti-
8 fact from Tyre by any person associated with the United
9 Nations.

10 (c) REPORTING REQUIREMENT.—Not later than 6
11 months after the date of enactment of this Act, and every 6
12 months thereafter, for as long as the United Nations Interim
13 Force in Lebanon remains in Lebanon, the Secretary of State
14 shall report in writing to the chairman of the Committee on
15 Foreign Relations of the Senate and the chairman of the
16 Committee on Foreign Affairs of the House of Representa-
17 tives on the progress made in implementing this section.

18 TITLE II—THE UNITED STATES INFORMATION
19 AGENCY

20 SEC. 201. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION
21 OF FUNDS.

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There are
23 authorized to be appropriated to the United States Informa-
24 tion Agency \$377,000,000 for fiscal year 1988 for “Salaries
25 and Expenses” to carry out international information, educa-

1 tional, cultural, and other exchange programs under the
2 United States Information and Educational Exchange Act of
3 1948, the Mutual Educational and Cultural Exchange Act of
4 1961, Reorganization Plan Number 2 of 1977, and other
5 purposes authorized by law.

6 (b) ALLOCATION OF FUNDS.—Of the funds authorized
7 to be appropriated by this section, not more than
8 \$15,000,000 shall be available for the “Television and Film
9 Service”, including WORLDNET (the television service of
10 the United States Information Agency), and not more than
11 \$2,000,000 shall be available only for exhibits.

12 **SEC. 202. VOICE OF AMERICA.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
14 tion to amounts authorized to be appropriated by section 201,
15 there are authorized to be appropriated \$180,000,000 for
16 fiscal year 1988 to the Voice of America for the purpose of
17 carrying out title V of the United States Information and
18 Educational Exchange Act of 1948 and the Radio Broadcast-
19 ing to Cuba Act.

20 (b) ALLOCATION OF FUNDS.—Of the funds authorized
21 to be appropriated by this section, \$10,000,000 shall be
22 available only for the “Voice of America: Cuba Service”.

23 **SEC. 203. BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
25 tion to amounts otherwise authorized to be appropriated by

1 section 201, there are authorized to be appropriated to the
2 Bureau of Educational and Cultural Affairs \$185,000,000 for
3 fiscal year 1988 to carry out the purposes of the Mutual Edu-
4 cational and Cultural Exchange Act of 1961. Of the funds
5 authorized to be appropriated by this section, not less than—

6 (1) \$93,000,000 shall be available only for grants
7 for the Fulbright Academic Exchange Programs;

8 (2) \$39,000,000 shall be available only for grants
9 for the International Visitors Program;

10 (3) \$5,250,000 shall be available only for grants
11 for the Hubert H. Humphrey Fellowship Program;

12 (4) \$2,000,000 shall be available only for the
13 Congress-Bundestag Exchange;

14 (5) \$500,000 shall be available only to the Seattle
15 Goodwill Games Organizing Committee for Cultural
16 Exchange and other exchange-related activities associ-
17 ated with the 1990 Goodwill Games to be held in
18 Seattle, Washington;

19 (6) \$5,000,000 shall be available only for the Arts
20 America Program; and

21 (7) \$300,000 for books and materials to complete
22 the collections at the Edward Zorinsky Memorial
23 Library in Jakarta, Indonesia.

24 (b) ALLOCATION OF FUNDS FOR EXCHANGES BE-
25 TWEEN THE UNITED STATES AND THE SOVIET UNION.—

1 (1) Of the funds authorized to be appropriated by subsection
2 (a), not less than \$2,000,000 shall be available only for
3 grants for exchange of persons programs between the United
4 States and the Soviet Union.

5 (2) Funds allocated by paragraph (1) or (2) of subsection
6 (a) may be counted toward the allocation required by this
7 subsection to the extent that such funds are used, in accord-
8 ance with their respective programs, for grants for exchange
9 of persons programs between the United States and the
10 Soviet Union.

11 **SEC. 204. NATIONAL ENDOWMENT FOR DEMOCRACY.**

12 In addition to amounts authorized to be appropriated by
13 section 201, there are authorized to be appropriated to the
14 United States Information Agency \$17,500,000 for fiscal
15 year 1988 to be available only for a grant to the National
16 Endowment for Democracy for use in carrying out its pur-
17 poses.

18 **SEC. 205. EAST-WEST CENTER.**

19 There are authorized to be appropriated \$20,000,000
20 for fiscal year 1988 to carry out the provisions of the Center
21 for Cultural and Technical Interchange Between East and
22 West Act of 1960.

23 **SEC. 206. POSTS AND PERSONNEL OVERSEAS.**

24 (a) **PROHIBITION.**—No funds authorized to be appropri-
25 ated by this Act or any other Act may be used to pay any

1 expense associated with the closing of any post abroad. No
2 funds authorized to be appropriated by this Act shall be used
3 to pay for any expense associated with the Bureau of Man-
4 agement or with the "Television and Film Service" if a
5 United States Information Agency post abroad is closed after
6 April 1, 1987, and not re-opened within 90 days of the date
7 of enactment of this Act.

8 (b) LIMITATION ON REDUCTION OF POSITIONS.—Re-
9 ductions shall not be made in the number of positions filled by
10 American employees of the United States Information
11 Agency stationed abroad until the number of such employees
12 is the same percentage of the total number of American em-
13 ployees of the Agency as the number of American employees
14 of the Agency stationed abroad in 1981 was to the total
15 number of American employees of the Agency at the same
16 time in 1981.

17 (c) WAIVER.—Subsections (a) and (b) shall not apply to
18 any post closed—

19 (1) because of a break or downgrading of diplo-
20 matic relations between the United States and the
21 country in which the post is located,

22 (2) where there is a real and present threat to
23 American diplomats in the city where the post is
24 located and where a travel advisory warning against

1 American travel to the city has been issued by the De-
2 partment of State, or

3 (3) when the post is closed so as to provide funds
4 to open a new post, staffed by at least one full-time
5 foreign service officer, and where the Director of the
6 United States Information Agency reports to the Com-
7 mittee on Foreign Relations of the Senate and the
8 Committee on Foreign Affairs of the House of Repre-
9 sentatives that—

10 (A) the new post is a higher priority than the
11 post proposed to be closed; and

12 (B) the total number of United States Infor-
13 mation Agency posts abroad staffed by full-time
14 Foreign Service employees of the Agency is not
15 less than the number of such posts in existence on
16 April 1, 1987.

17 **SEC. 207. THE ARTS AMERICA PROGRAM.**

18 Section 112(a) of the Mutual Educational and Cultural
19 Exchange Act of 1961 (22 U.S.C. 2460(a)) is amended—

20 (1) by striking out “and” at the end of paragraph
21 (6);

22 (2) by striking out the period following paragraph
23 (7) and inserting in lieu thereof “; and”; and

24 (3) by adding at the end thereof the following new
25 paragraph:

1 “(8) the Arts America program which promotes a
2 greater appreciation and understanding of American art
3 abroad by supporting exhibitions and tours by Ameri-
4 can artists in other countries.”.

5 **SEC. 208. CONGRESSIONAL GRANT NOTIFICATION.**

6 (a) **IN GENERAL.**—Section 705(b) of the United States
7 Information and Educational Exchange Act of 1948 (22
8 U.S.C. 1477c(b)) is amended by striking out “1986 and
9 1987” and inserting in lieu thereof “1988 and 1989”.

10 (b) **EFFECTIVE DATE.**—The amendment made by sub-
11 section (a) shall take effect on October 1, 1987.

12 **SEC. 209. FORTY-YEAR LEASING AUTHORITY.**

13 Section 801(3) of the United States Information and
14 Educational Exchange Act of 1948 (22 U.S.C. 1471(3)) is
15 amended by striking out “twenty-five” and inserting in lieu
16 thereof “forty”.

17 **SEC. 210. RECEIPTS FROM ENGLISH-TEACHING, LIBRARY,**
18 **MOTION PICTURE, AND TELEVISION PRO-**
19 **GRAMS.**

20 Section 810 of the United States Information and Edu-
21 cational Exchange Act of 1948 (22 U.S.C. 1475e) is amend-
22 ed to read as follows:

23 “SEC. 810. Notwithstanding the provisions of section
24 3302(b) of title 31, United States Code, or any other law or
25 limitation of authority, all payments received by or for the

1 use of the United States Information Agency from or in con-
2 nection with English-teaching, library, motion picture, and
3 television programs conducted by or on behalf of the Agency
4 under the authority of this Act or the Mutual Educational
5 and Cultural Exchange Act of 1961 may be credited to the
6 Agency's applicable appropriation to such extent as may be
7 provided in advance in an appropriation Act.''.
8

8 **SEC. 211. PROFESSORSHIP ON CONSTITUTIONAL DEMOCRACY.**

9 (a) **FEDERAL SUPPORT FOR PROFESSORSHIP.**—The
10 President, in support of the statutory program of American
11 studies abroad, is directed to foster studies in constitutional
12 democracy at the Santo Tomas University in the Republic of
13 the Philippines by supporting at such university under section
14 102(b)(4) of the Mutual Educational and Cultural Exchange
15 Act of 1961 (22 U.S.C. 2452(b)(4)) a professorship on the
16 subject of constitutional democracy, if such professorship is
17 established by such university.

18 (b) **FINANCIAL SUPPORT FOR THE PROFESSORSHIP.**—
19 If the professorship referred to in subsection (a) is established
20 by the Santo Tomas University in the Republic of the Philip-
21 pines, veterans of the Pacific theater in World War II and
22 veterans of the Korean conflict and Vietnam era are encour-
23 aged to contribute funds under section 105(f) of the Mutual
24 Educational and Cultural Exchange Act of 1961 (22 U.S.C.
25 2455(f)) to support such professorship.

1 (c) EFFECTIVE DATE.—This section shall take effect on
2 October 1, 1987.

3 SEC. 212. UNITED STATES-INDIA FUND.

4 Section 903 of the United States-India Fund for Cultur-
5 al, Educational, and Scientific Cooperation Act (22 U.S.C.
6 290j-1) is amended by adding at the end thereof the follow-
7 ing new subsection:

8 “(c) In accordance with the agreement negotiated pur-
9 suant to section 902(a), the moneys appropriated as described
10 in subsection (b), as well as the earnings generated there-
11 from, may be made available for the purposes set out in sec-
12 tion 902(a).”.

13 SEC. 213. UNITED STATES-PAKISTAN FUND.

14 (a) ESTABLISHMENT OF FUND.—The Director of the
15 United States Information Agency (hereafter in this section
16 referred to as the “Director”) is authorized to enter into an
17 agreement with the Government of Pakistan for the estab-
18 lishment of the United States Pakistan Fund for Cultural,
19 Educational, and Scientific Cooperation (hereafter in this sec-
20 tion referred to as the “Fund”) for which the United States
21 will provide a one time only grant for English language train-
22 ing or other cultural, educational, and scientific programs of
23 mutual interest.

24 (b) USE OF FOREIGN CURRENCIES.—Subject to appli-
25 cable requirements concerning reimbursement to the Treas-

1 ury for United States-owned foreign currencies, the Director
2 may make available to the Fund, to the extent and in the
3 amount provided in an appropriation Act, for use in carrying
4 out the agreement authorized by subsection (a), up to the
5 equivalent of \$598,176 in foreign currencies owned by the
6 United States in Pakistan or owed to the United States by
7 the Government of Pakistan. Such use may include invest-
8 ments in order to generate income which will be retained in
9 the Fund and used to support programs pursuant to the
10 agreement.

11 (c) UNITED STATES ROLE IN ADMINISTRATION OF
12 THE FUND.—The United States representatives on any
13 board or other entity created in accordance with the agree-
14 ment to administer the Fund shall be designated by the Di-
15 rector, predominantly from among representatives of the
16 United States Government agencies, including those adminis-
17 tering programs which may be supported in whole or in part
18 by the Fund.

19 (d) USE OF THE FUND.—United States Government
20 agencies carrying out programs of the types specified in sub-
21 section (a) may receive amounts directly from the Fund for
22 use in carrying out those programs.

23 SEC. 214. UNITED STATES INFORMATION AGENCY PROGRAM-
24 MING ON AFGHANISTAN.

25 (a) FINDINGS.—The Congress finds that—

1 (1) the United States Information Agency lists Af-
2 ghanistan as one of the "most significant international
3 political/security interests expected to be confronting
4 the United States during the program year of 1988";

5 (2) it is the stated policy of the United States
6 Government to "recognize the high importance both of
7 keeping the Afghanistan story on the world's front
8 page and of getting the message of our admiration and
9 support across to the Afghan people"; and

10 (3) Public Law 99-399 expresses the sense of the
11 Congress that "the United States, so long as Soviet
12 military forces occupy Afghanistan, should support the
13 efforts of the people of Afghanistan to regain the sov-
14 ereignty and territorial integrity of their nation
15 through . . . a continuous and vigorous public infor-
16 mation campaign to bring the facts of the situation in
17 Afghanistan to the attention of the world".

18 (b) THE AFGHANISTAN COUNTRY PLAN.—(1) The Di-
19 rector of the United States Information Agency shall imple-
20 ment a formal, comprehensive country plan on Afghanistan
21 based on the guidelines set forth in the United States Infor-
22 mation Agency country plan instructions for fiscal year 1988.

23 (2) Not later than 60 days after the date of enactment of
24 this Act, the Director of the United States Information

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1 Agency shall provide Congress in writing with the proposed
2 comprehensive Afghanistan country plan.

3 **SEC. 215. UNITED STATES ADVISORY COMMISSION ON PUBLIC**
4 **DIPLOMACY.**

5 (a) **REPEAL.**—Sections 601, 602, 603, and 604 of the
6 United States Information and Education Exchange Act of
7 1948 (22 U.S.C. 1466–1469) are hereby repealed.

8 (b) **ESTABLISHMENT OF ADVISORY COMMISSION.**—
9 Title VI of the United States Information and Educational
10 Exchange Act of 1948 is amended by adding the following
11 new section:

12 **“SEC. 601. UNITED STATES ADVISORY COMMISSION ON**
13 **PUBLIC DIPLOMACY.**

14 “(a) There is hereby created the United States Advisory
15 Commission on Public Diplomacy (hereafter in this section
16 referred to as the ‘Commission’). The Commission shall for-
17 mulate and recommend to the Director of the United States
18 Information Agency, to the Committee on Foreign Relations
19 of the Senate and to the Committee on Foreign Affairs of the
20 House of Representatives policies and programs for the
21 carrying out of this Act and the Mutual Educational and
22 Cultural Exchange Act of 1961.

23 “(b)(1) The Commission shall consist of 7 members.
24 Two members shall be appointed by the President and shall

1 serve for the remainder of the President's term in office. The
2 5 remaining members shall be appointed as follows:

3 “(A) One member each shall be chosen by the
4 chairman and ranking minority member of the Commit-
5 tee on Foreign Relations of the Senate.

6 “(B) One member each shall be chosen by the
7 chairman and ranking minority member of the Commit-
8 tee on Foreign Affairs of the House of Representa-
9 tives.

10 “(C) One member shall be jointly chosen by the
11 chairman of the Committee on Foreign Relations of the
12 Senate and the chairman of the Committee on Foreign
13 Affairs of the House of Representatives.

14 “(2) The congressionally appointed members shall serve
15 for the remaining duration of the Congress in which they are
16 appointed. Members of the Commission shall serve until their
17 successors are appointed. A vacancy shall be filled in the
18 manner in which the previous incumbent was selected and
19 shall serve only to the end of the term to which the previous
20 incumbent had been appointed.

21 “(c) The members of the Commission shall represent the
22 public interest and shall be selected from a cross section of
23 educational, professional, cultural, scientific, business, techni-
24 cal and public service backgrounds. No person holding any

1 compensated State or Federal office shall be eligible for
2 appointment to the Commission.

3 “(d) The President shall designate a Chairman from
4 among the members of the Commission.

5 “(e) The members of the Commission shall receive no
6 compensation for their services as members but shall be enti-
7 tled to reimbursement for travel and subsistence in connec-
8 tion with attendance of meetings away from their places of
9 residence, as provided in paragraph (6) of section 801 of this
10 Act.

11 “(f) The Commission may adopt such rules and regula-
12 tions as it deems necessary to carry out the authority con-
13 ferred upon them by this title.

14 “(g) The Commission shall have a staff Director ap-
15 pointed by the chairman with the concurrence of at least 5
16 members of the Commission. The Director of the United
17 States Information Agency is authorized and directed to pro-
18 vide such additional personnel for the staff of the Commission
19 as is necessary to carry out the work of the Commission. The
20 Chairman is authorized to procure temporary and intermit-
21 tent services to the same extent as is authorized by section
22 3109(b) of title 5, United States Code, but at rates not to
23 exceed the equivalent of the annual rate of basic pay for
24 grade GS-18 of the General Schedule under section 5332 of
25 title 5, United States Code.”.

1 SEC. 216. THE EDWARD ZORINSKY MEMORIAL LIBRARY.

2 (a) MEMORIAL FOR EDWARD ZORINSKY.—The United
3 States Information Service library in Jakarta, Indonesia is
4 named “The Edward Zorinsky Memorial Library”.

5 (b) MEMORIAL PLAQUE.—The Director of the United
6 States Information Agency shall cause a plaque to be made
7 and prominently displayed at the library described in subsec-
8 tion (a). The plaque shall bear the following inscription:

9 “THE EDWARD ZORINSKY MEMORIAL LIBRARY

10 This library is dedicated to the memory of
11 Edward Zorinsky, United States Senator from
12 Nebraska. As a Senator, Edward Zorinsky
13 worked tirelessly to promote the free exchange of
14 ideas and people between the United States and
15 other countries. This library, which is a forum for
16 the exchange of ideas and knowledge between the
17 people of the United States and the people of In-
18 donesia, was reopened after a hiatus of more than
19 twenty years as a result of legislation authored by
20 Senator Zorinsky.”.

21 SEC. 217. CONTRACTOR REQUIREMENTS.

22 (a) FINDINGS.—The Congress finds that the overriding
23 national security aspects of the \$1,300,000,000 facilities
24 modernization program of the Voice of America require the
25 assurance of uninterrupted logistic support under all circum-
26 stances for the program. Therefore, it is in the best interests

1 of the United States to provide a preference for United States
2 contractors bidding on the projects of this program.

3 (b) PREFERENCE FOR UNITED STATES CONTRAC-
4 TORS.—Notwithstanding any other provision of law, in any
5 case where there are two or more qualified bidders on
6 projects of the facilities modernization program of the Voice
7 of America, including design and construction projects and
8 projects with respect to transmitters, antennas, spare parts,
9 and other technical equipment, all the responsive bids of
10 United States persons or qualified United States joint venture
11 persons shall be considered to be reduced by 10 percent.

12 (c) EXCEPTION.—

13 (1) Subsection (b) shall not apply with respect to
14 any project of the facilities modernization program of
15 the Voice of America when—

16 (A) precluded by the terms of an interna-
17 tional agreement with the host foreign country,

18 (B) a foreign bidder can establish that he is a
19 national of a country whose government permits
20 United States contractors and suppliers the oppor-
21 tunity to bid on a competitive and nondiscrimina-
22 tory basis with its national contractors and suppli-
23 ers, on procurement and projects related to the
24 construction, modernization, upgrading, or expan-
25 sion of—

1 (i) its national public radio and televi-
2 sion sector, or

3 (ii) its private radio and television
4 sector, to the extent that such procurement
5 or project is, in whole or in part, funded or
6 otherwise under the control of a government
7 agency or authority, or

8 (C) the statutes of a foreign country prohibit
9 the use of United States contractors on such
10 projects within that country.

11 (2) An exception under paragraph (1)(C) shall only
12 become effective with respect to a foreign country 30
13 days after the Secretary of State certifies to the Com-
14 mittee on Foreign Affairs and the Committee on Ap-
15 propriations of the House of Representatives and the
16 Committee on Foreign Relations and the Committee on
17 Appropriations of the Senate what specific actions the
18 Secretary has taken to urge the foreign country to
19 permit the use of United States contractors on such
20 projects.

21 (d) DEFINITIONS.—For purposes of this section—

22 (1) the term “United States person” means a
23 person that—

24 (A) is incorporated or otherwise legally orga-
25 nized under the laws of the United States, includ-

1 ing any State (and any political subdivision there-
2 of) and the District of Columbia;

3 (B) has its principal place of business in the
4 United States;

5 (C) has been incorporated or otherwise legal-
6 ly organized in the United States for more than 5
7 years before the issuance date of the Invitation
8 For Bids or the Request For Proposals with re-
9 spect to a modernization project under sub-
10 section (b);

11 (D) with respect to a modernization project
12 under subsection (b), has achieved total business
13 volume equal to or greater than the value of the
14 project being bid in at least each of 3 years of the
15 5-year period before the date specified in subpara-
16 graph (C);

17 (E)(i) employs United States citizens in at
18 least 80 percent of its principal management posi-
19 tions in the United States;

20 (ii) employs United States citizens in
21 more than half of its permanent, full-time
22 positions in the United States; and

23 (iii) will employ United States citizens
24 in at least 80 percent of the supervisory po-
25 sitions on the modernization project site; and

1 (F) has the existing technical and financial
2 resources in the United States to perform the con-
3 tract; and

4 (2) the term "qualified United States joint venture
5 person" means a joint venture in which a United
6 States person or persons own at least 51 percent of the
7 assets of the joint venture.

8 (e) EFFECTIVE DATE.—The provisions of this section
9 shall apply to any project with respect to which the Request
10 For Proposals (commonly referred to as "RFP") or the Invi-
11 tation For Bids (commonly referred to as "IFB") was issued
12 after December 28, 1986.

13 TITLE III—THE BOARD FOR INTERNATIONAL
14 BROADCASTING

15 SEC. 301. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION
16 OF FUNDS.

17 (a) AUTHORIZATION OF APPROPRIATIONS.—(1) Sec-
18 tion 8(a)(1)(A) of the Board for International Broadcasting
19 Act of 1973 (22 U.S.C. 2877) is amended to read as follows:

20 "(A) \$174,000,000 for fiscal year 1988; and".

21 (2) The amendment made by paragraph (1) shall take
22 effect October 1, 1987.

23 (b) ALLOCATION OF FUNDS.—Of the funds authorized
24 to be appropriated by section 8(a)(1)(A) of the Board for
25 International Broadcasting Act of 1973, \$12,000,000 shall

1 be available only for radio transmitter construction and mod-
2 ernization.

3 **SEC. 302. CURRENCY GAINS.**

4 Section 8(b) of the Board for International Broadcasting
5 Act of 1973 (22 U.S.C. 2877) is amended by inserting after
6 "RFE/RL, Incorporated," the following: "shall be certified
7 to the Congress by the Director of the Office of Management
8 and Budget and placed in reserve in a separate account in the
9 Treasury only for the purpose of offsetting future downward
10 fluctuations in foreign currency exchange rates in order to
11 maintain the level of operations authorized for each fiscal
12 year. Any such amount".

13 **SEC. 303. CERTIFICATION OF CERTAIN CREDITABLE SERVICE.**

14 The third to the last sentence of section 8332(b) of title
15 5, United States Code, is amended by inserting " , and the
16 Secretary of State with respect to the Asia Foundation and
17 the Secretary of Defense with respect to the Armed Forces
18 Network, Europe (AFN-E)," after "Board for International
19 Broadcasting".

20 **TITLE IV—THE GLOBAL CLIMATE PROTECTION**

21 **ACT OF 1987**

22 **SEC. 401. SHORT TITLE.**

23 This title may be cited as the "Global Climate Protec-
24 tion Act of 1987".

1 SEC. 402. FINDINGS.

2 The Congress finds that—

3 (1) there exists compelling evidence that manmade
4 pollution—the release of carbon dioxide, chlorofluoro-
5 carbons, and other trace gases into the atmosphere—
6 may be producing a long term and substantial increase
7 in the average temperature on Earth, a phenomenon
8 known as global warming through the greenhouse
9 effect;

10 (2) by early in the next century, this increase in
11 Earth temperature could—

12 (A) so alter global weather patterns as to
13 have disastrous effect on existing agricultural pro-
14 duction and on the habitability of large portions of
15 the Earth; and

16 (B) cause thermal expansion of the oceans
17 and partial melting of the polar ice caps, resulting
18 in rising sea levels and widespread coastal flood-
19 ing around the world;

20 (3) while the effects of the greenhouse effect may
21 not be felt until the next century, ongoing pollution
22 may be contributing now to an irreversible process,
23 making timely action imperative if the climate is to be
24 preserved;

25 (4) the global nature of this problem will require
26 vigorous efforts to achieve international cooperation

1 aimed at minimizing and responding to climate change;

2 and

3 (5) effective international cooperation will require

4 United States leadership, which will depend upon early

5 arrival at, and implementation of, a coordinated na-

6 tional strategy.

7 **SEC. 403. TASK FORCE ON THE GLOBAL CLIMATE.**

8 (a) **ESTABLISHMENT.**—The President shall establish a
9 Task Force on the Global Climate (hereafter in this title
10 referred to as the “Task Force”).

11 (b) **PURPOSE.**—The Task Force shall be mandated to
12 determine and supervise the research necessary for a coordi-
13 nated national strategy on the global climate, to develop such
14 a strategy, and to initiate implementation of such strategy
15 domestically and in the international arena.

16 (c) **COMPOSITION.**—The Task Force shall be composed
17 of—

18 (1) the Secretary of State, who shall serve as
19 Chairman;

20 (2) the Administrator of the Environmental Pro-
21 tection Agency, who shall serve as Vice Chairman and
22 Executive Director for Research;

23 (3) the Chairman of the National Science Founda-
24 tion;

1 (4) the President of the National Academy of
2 Sciences;

3 (5) the Administrator of the National Aeronautics
4 and Space Administration;

5 (6) the Administrator of the National Oceanic and
6 Atmospheric Administration;

7 (7) the Administrator of the Agency for Interna-
8 tional Development; and

9 (8) the heads of other appropriate Government
10 agencies, and other persons knowledgeable about the
11 problems of global warming, as the Chairman and Vice
12 Chairman may determine.

13 (d) **ADVISORY ROLE.**—The chairmen and ranking mi-
14 nority members of the Committee on Foreign Relations and
15 the Committee on Environment and Public Works of the
16 Senate and the Committee on Foreign Affairs and the Com-
17 mittee on Energy and Commerce of the House of Represent-
18 atives shall serve as advisors to the Task Force.

19 (e) **TASK FORCE REPORT.**—Not later than 12 months
20 after the date of enactment of this Act, the Task Force shall
21 develop and transmit to the President a United States
22 strategy on the global climate, which shall include—

23 (1) a full analysis of the global warming phenome-
24 non, including its environmental and health conse-
25 quences; and

1 (2) a comprehensive strategy, including the policy
2 changes, further research, and cooperative actions with
3 other nations that would be required to stabilize do-
4 mestic and international emissions of atmospheric pol-
5 lutants at safe levels.

6 **SEC. 404. REPORT TO CONGRESS.**

7 Not later than 3 months after receipt of the United
8 States strategy on the global climate, the President shall
9 submit such strategy, together with recommendations for fur-
10 ther legislative action, to the Speaker of the House of Repre-
11 sentatives and the chairmen of the Committee on Foreign
12 Relations and the Committee on Environment and Public
13 Works of the Senate.

14 **SEC. 405. AMBASSADOR AT LARGE.**

15 To coordinate and lead the participation of United
16 States Government agencies in various multilateral activities
17 relating to global warming, including United States participa-
18 tion in planning for the International Geosphere-Biosphere
19 Program scheduled for the early 1990's, the President shall
20 appoint an Ambassador at Large, who shall also represent
21 the Secretary of State in the operations of the Task Force.

22 **SEC. 406. INTERNATIONAL YEAR OF GLOBAL CLIMATE**
23 **PROTECTION.**

24 In order to focus international attention and concern on
25 the problem of global warming, and to foster further work on

1 multilateral treaties aimed at protecting the global climate,
2 the Secretary of State shall undertake all necessary steps to
3 promote, within the United Nations system, the early desig-
4 nation of an International Year of Global Climate Protection.

5 **SEC. 407. CLIMATE PROTECTION AND UNITED STATES-SOVIET**
6 **RELATIONS.**

7 In recognition of the respective leadership roles of the
8 United States and the Soviet Union in the international
9 arena, and of their joint role as the world's two major pro-
10 ducers of atmospheric pollutants, the Congress urges that the
11 President accord the problem of climate protection a high
12 priority on the agenda of United States-Soviet relations.

13 **TITLE V—MISCELLANEOUS PROVISIONS**

14 **SEC. 501. ENFORCEMENT OF CASE ACT REQUIREMENTS.**

15 None of the funds authorized to be appropriated by this
16 Act or by any other Act shall be available to implement any
17 international agreement the text of which is required to be
18 transmitted to the Congress under section 112b.(a) of title 1,
19 United States Code (also known as the "Case Act") after the
20 60-day period referred to in such section, until the text of
21 such agreement is so transmitted.

22 **SEC. 502. FEDERAL JURISDICTION OF DIRECT ACTIONS**
23 **AGAINST INSURERS OF DIPLOMATIC AGENTS.**

24 (a) **PERIOD OF LIABILITY.**—Section 1364 of title 28,
25 United States Code, as added by section 7 of the Diplomatic

1 Relations Act, is amended by inserting after "who is" the
2 following: " , or was at the time of the tortious act or
3 omission,".

4 (b) APPLICATION.—The amendment made by subsec-
5 tion (a) shall apply to the first tortious act or omission occur-
6 ring after the date of enactment of this Act.

7 **SEC. 503. PROHIBITION ON USE OF FUNDS FOR POLITICAL**
8 **PURPOSES.**

9 No funds authorized to be appropriated by this Act or
10 by any other Act authorizing funds for any entity engaged in
11 any activity concerning the foreign affairs of the United
12 States shall be used—

13 (1) for publicity or propaganda purposes designed
14 to support or defeat legislation pending before Con-
15 gress; or

16 (2) to influence in any way the outcome of a polit-
17 ical election.

18 **SEC. 504. PROHIBITION ON EXCLUSION OF ALIENS BECAUSE**
19 **OF POLITICAL BELIEFS.**

20 (a) ADMISSION OF CERTAIN ALIENS.—Notwithstand-
21 ing any other provision of law, no alien may be denied a visa
22 or excluded from admission into the United States or subject
23 to restrictions or conditions on the use of a visa solely be-
24 cause of any past or current political beliefs or political asso-

1 ciations or on the basis of the expected content of the alien's
2 statements in the United States.

3 (b) CONSTRUCTION REGARDING EXCLUDABLE
4 ALIENS.—Nothing in this section shall be construed to affect
5 the existing authority of the Executive branch to deny admis-
6 sion to any alien—

7 (1) for reasons such as foreign policy and national
8 security other than those specified in subsection (a);

9 (2) who engages in terrorist activity or is a
10 member of a terrorist organization, as defined in the
11 Foreign Intelligence Surveillance Act (50 U.S.C.
12 1801);

13 (3) for the purpose of seeking reciprocity for the
14 entry of Americans into a foreign country; or

15 (4) who represents a purported labor organization
16 in a country where such organizations are in fact
17 instruments of a totalitarian state.

18 (c) CONSTRUCTION REGARDING STANDING TO SUE.—
19 Nothing in this section shall be construed as affecting stand-
20 ing in any Federal court or in any administrative proceeding.

21 SEC. 505. AUTHORITY TO INVEST AND RECOVER EXPENSES
22 FROM INTERNATIONAL CLAIMS SETTLEMENT
23 FUNDS.

24 (a) INVESTMENT AUTHORITY.—Section 8 of the Inter-
25 national Claims Settlement Act of 1949 (22 U.S.C. 1621 et

1 seq.) is amended by adding at the end thereof the following
2 new subsection:

3 “(g) The Secretary of the Treasury is authorized and
4 directed to invest the amounts held respectively in the ‘spe-
5 cial funds’ established by this section in public debt securities
6 with maturities suitable for the needs of the separate ac-
7 counts and bearing interest at rates determined by the Secre-
8 tary, taking into consideration the average market yield on
9 outstanding marketable obligations of the United States of
10 comparable maturities. The interest earned on the amounts in
11 each special fund shall be used to make payments, in accord-
12 ance with subsection (c), on awards payable from that special
13 fund.”.

14 (b) REIMBURSEMENT OF EXPENSES.—The Act of Feb-
15 ruary 26, 1896 (29 Stat. 32; 22 U.S.C. 2668a) is amended
16 under the heading entitled “TRUST FUNDS.”—

17 (1) by inserting “, subject to the deduction made
18 under the fourth paragraph under this heading, if any,”
19 after “and certify the same” in the second sentence;
20 and

21 (2) by inserting at the end thereof the following
22 new paragraph:

23 “The Secretary of State shall deduct from moneys re-
24 ceived from foreign governments and other sources as a
25 result of an international arbitration or other international

1 dispute settlement proceeding to which the United States is a
2 party an amount equal to 5 percent of any moneys deter-
3 mined by the Secretary to be due a private United States
4 claimant, as reimbursement for expenses incurred. The
5 amount so deducted shall be covered into the Treasury to the
6 credit of miscellaneous receipts. This paragraph shall not
7 apply to any expenses incurred or amounts received in con-
8 nection with the Iran-United States Claims Tribunal, or to
9 any funds created under section 8 of the International Claims
10 Settlement Act of 1949.”.

11 (c) AUTHORITY TO ACCEPT REIMBURSEMENTS.—The
12 Department of State Appropriation Act of 1937 (49 Stat.
13 1321; 22 U.S.C. 2661) is amended under the heading enti-
14 tled “INTERNATIONAL FISHERIES COMMISSION” by insert-
15 ing after the fourth undesignated paragraph the following
16 new paragraph:

17 “The Secretary of State is authorized to accept reim-
18 bursement from corporations, firms, and individuals for the
19 expenses of travel, translation, printing, special experts, and
20 other extraordinary expenses incurred in pursuing a claim on
21 their behalf against a foreign government or other foreign
22 entity. Such reimbursements shall be credited to the appro-
23 priation account against which the expense was initially
24 charged.”.

1 SEC. 506. PAYMENT OF THE CLAIM OF JOSEPH KAREL HASEK
2 FROM THE CZECHOSLOVAKIAN CLAIMS FUND.

3 (a) FINDINGS.—The Congress finds that—

4 (1) Private Law 98-54 provided that Joseph
5 Karel Hasek should receive equitable relief to allow
6 him to be compensated for his losses arising as a result
7 of the unusual and unique circumstances of his depar-
8 ture from Czechoslovakia under the auspices of the
9 United States Government;

10 (2) Private Law 98-54 required the Foreign
11 Claims Settlement Commission, in determining the va-
12 lidity and amount of the claim of Joseph Karel Hasek,
13 to consider any new evidence and unique circumstances
14 relating to that claim; and

15 (3) Private Law 98-54 has not been implemented
16 as intended by the Congress.

17 (b) DIRECTION TO PAY CLAIM.—Notwithstanding any
18 other provision of law, the Secretary of the Treasury is au-
19 thorized and directed to pay \$250,000 (less than 5 percent of
20 his losses), together with interest calculated under subsection
21 (c), to Joseph Karel Hasek out of funds covered into the
22 Czechoslovakian Claims Fund under section 4(b)(1) of the
23 Czechoslovakian Claims Settlement Act of 1981 not later
24 than—

25 (1) 30 days after the date of enactment of this
26 Act, or

1 (2) if no other means of air travel is available,
2 first class travel may be authorized for a staff member.

3 **SEC. 508. PUBLIC ACCESS TO UNITED NATIONS WAR CRIMES**
4 **COMMISSION FILES.**

5 (a) **FINDINGS.**—The Congress finds that—

6 (1) with the passing of time, it is important to
7 document fully Nazi war crimes and crimes against hu-
8 manity, lest the enormity of those crimes be forgotten;
9 and

10 (2) the files of the United Nations War Crimes
11 Commission deposited in the archives of the United
12 Nations contain information invaluable to our knowl-
13 edge of the genocidal actions of the Nazis.

14 (b) **POLICY.**—It is the sense of the Congress that—

15 (1) United States policy should be to support
16 access by interested individuals and organizations to
17 the files of the United Nations War Crimes Commis-
18 sion deposited in the archives of the United Nations;

19 (2) the Permanent Representative of the United
20 States to the United Nations should advise the Secre-
21 tary General of the United Nations of such policy; and

22 (3) all appropriate steps should be taken to per-
23 suade the former member states of the United Nations
24 War Crimes Commission to adopt such policy.

1 SEC. 509. POLICY ON AFGHANISTAN.

2 (a) FINDINGS ON SOVIET ACTIONS IN AFGHANI-
3 STAN.—The Congress finds that—

4 (1) the Soviet Union has been waging war against
5 the people of Afghanistan since the invasion of Decem-
6 ber 25, 1979;

7 (2) the victims of the Soviet invasion and occupa-
8 tion include more than 1,000,000 dead and more than
9 3,000,000 Afghans forced to find refuge in neighboring
10 countries;

11 (3) Soviet military tactics have included the bomb-
12 ing and napalming of villages without regard to the
13 human toll, the destruction of crops, agricultural land,
14 and orchards so as to create famine conditions, and the
15 massacre of hostages and other innocent civilians;

16 (4) children have been particular victims of Soviet
17 aggression, with some being targeted for death by the
18 dropping of booby-trapped toys while other children
19 have been transported to the Soviet Union for indoctri-
20 nating;

21 (5) the Soviet-installed puppet regime has en-
22 gaged in a consistent pattern of gross violations of the
23 human rights of its own citizens, including torture and
24 summary execution, for which its Soviet sponsors must
25 also be held accountable; and

1 (6) Soviet actions in Afghanistan, therefore, con-
2 stitute a violation of international law and of accepted
3 norms of human decency and, therefore, must be con-
4 demned by civilized people everywhere.

5 (b) FINDINGS ON THE AFGHAN RESISTANCE.—The
6 Congress further finds that—

7 (1) the Afghan people have heroically resisted the
8 Soviet invaders in spite of the tremendous cost of so
9 doing and now control most of their homeland;

10 (2) the provision of effective assistance to the
11 Afghan people is an obligation of those who cherish
12 freedom;

13 (3) a total and prompt withdrawal of all Soviet
14 forces from Afghanistan is essential in order for the
15 Afghan people to exercise their inalienable human right
16 to self-determination; and

17 (4) a negotiated settlement providing for the total
18 and prompt withdrawal of Soviet forces offers the best
19 prospect for an early end to the suffering of the Afghan
20 people.

21 (c) DECLARATION OF POLICY.—The Congress, there-
22 fore, declares it to be the policy of the United States—

23 (1) to provide such assistance to the Afghan
24 people as will most effectively help them resist the
25 Soviet invaders;

1 (2) to support a negotiated settlement to the Af-
2 ghanistan war providing for the prompt withdrawal of
3 all Soviet forces from Afghanistan within a time frame
4 based solely on logistical criteria; and

5 (3) to communicate clearly to the Government and
6 people of the Soviet Union the necessity of a Soviet
7 withdrawal from Afghanistan as a condition for better
8 relations between the United States and the Soviet
9 Union.

10 (d) **PROVISION OF ASSISTANCE.**—The President and
11 Secretary of State are directed to adopt policies and pro-
12 grams to insure that all assistance intended for the Afghan
13 people reaches its intended recipients and that theft or diver-
14 sion of such assistance not be tolerated.

15 **SEC. 510. POLICY TOWARD THE IRAN-IRAQ WAR.**

16 (a) **FINDINGS.**—The Congress finds that—

17 (1) the continuation of the Iran-Iraq war threat-
18 ens the security and stability of all states in the Per-
19 sian Gulf;

20 (2) stability in the Persian Gulf and the flow of oil
21 is critical to world trade and the economic health of
22 the West;

23 (3) the conflict between Iran and Iraq threatens
24 United States strategic and political interests in the
25 region;

1 (4) the conflict threatens international commercial
2 shipping interests and activities; and

3 (5) the Iran-Iraq war has continued seven years
4 with more than 1,500,000 casualties.

5 (b) POLICY.—The Congress declares it to be the policy
6 of the United States—

7 (1) to support the total, unconditional withdrawal
8 of both Iran and Iraq to internationally recognized
9 boundaries;

10 (2) to support an immediate cease-fire;

11 (3) to endorse the peaceful resolution of this con-
12 flict under the auspices of the United Nations or other
13 international organization or party;

14 (4) to encourage all governments to refrain from
15 providing military supplies to any party refusing to
16 participate in negotiations leading to a peaceful resolu-
17 tion of the war;

18 (5) to recognize that stability and security in the
19 Persian Gulf will only be achieved if Iran and Iraq are
20 at peace and agree not to interfere in the affairs of
21 other nations through military action or the support of
22 terrorism; and

23 (6) to urge strict observance of international hu-
24 manitarian law by both sides and to support financially

1 the International Committee of the Red Cross' special
2 appeal for prisoners of war.

3 **SEC. 511. IRANIAN PERSECUTION OF THE BAHAI'S.**

4 (a) **POLICY TOWARD THE BAHAI COMMUNITY.**—It is
5 the sense of the Congress that—

6 (1) the Government of Iran has systematically dis-
7 criminated against the Baha'i community, including the
8 arbitrary detention, torture, and killing of Baha'is, the
9 seizure of Baha'i property, and the outlawing of the
10 Baha'i faith; and

11 (2) Iran's gross violations of the human rights of
12 the Baha'i community are in direct contravention of
13 the Charter of the United Nations and the United Na-
14 tions Declaration of Human Rights.

15 (b) **IMPLEMENTATION OF POLICY.**—It is the sense of
16 Congress that the President shall take all necessary steps to
17 focus international attention on the plight of the Baha'i Com-
18 munity and to bring pressure to bear on the Government of
19 Iran to cease its insidious policy of persecution.

20 **SEC. 512. REFUGEES FROM SOUTHEAST ASIA.**

21 (a) **FINDINGS.**—The Congress finds that—

22 (1) the United States remains firmly committed to
23 the security of Thailand and to improving relations be-
24 tween our two nations;

1 (2) the United States refugee resettlement and hu-
2 manitarian assistance programs constitute an important
3 factor in bilateral relations between the United States
4 and Thailand;

5 (3) the preservation of first asylum for those flee-
6 ing persecution is one of the primary objectives of the
7 United States refugee program;

8 (4) the actions of another government in labeling
9 refugee populations as "displaced persons" or closing
10 its borders to new arrivals shall not constitute a barrier
11 to the United States considering those individuals or
12 groups to be refugees;

13 (5) it is in the national interest to facilitate the re-
14 unification of separated families of United States citi-
15 zens and permanent residents, and the Congress will
16 look with disfavor on any nation which seriously
17 hinders emigration for such reunifications;

18 (6) the persecution of the Cambodian people under
19 the Khmer Rouge rule from 1975-1979, which caused
20 the deaths of up to two million people and in which the
21 bulk of the Khmer people were subjected to life in an
22 Asian Auschwitz, constituted one of the clearest exam-
23 ples of genocide in recent history; and

24 (7) the invasion of Cambodia by Vietnam and the
25 subsequent occupation of that country by 140,000 Vi-

1 etnamese troops backing up the Heng Samrin regime,
2 which itself continues to seriously violate the human
3 rights of Cambodians, and the presence of 40,000
4 heavily armed troops under the control of the same
5 Khmer Rouge leaders, overwhelmingly demonstrate
6 that the life or freedom of any Cambodian not allied
7 with the Khmer Rouge or supporting Heng Samrin
8 would be seriously endangered if such individual were
9 forced by a country of first asylum to return to his or
10 her homeland.

11 (b) STATEMENT OF POLICY.—It is the sense of the
12 Congress that—

13 (1) any Cambodians who are, or had been, at
14 Khao I Dang camp should be considered and inter-
15 viewed for eligibility for the United States refugee pro-
16 gram, irrespective of the date they entered Thailand or
17 that refugee camp;

18 (2) any Cambodian rejected for admission to the
19 United States who can demonstrate new or additional
20 evidence relating to his claim should have his or her
21 case reviewed;

22 (3) the United States should work with the United
23 Nations High Commissioner for Refugees, the Interna-
24 tional Committee of the Red Cross, and the Govern-
25 ment of Thailand to improve the security of all refugee

1 facilities in Thailand and to prevent the forced repatri-
2 ation of Cambodian refugees;

3 (4) the United States should treat with utmost se-
4 riousness the continued reports of forced repatriations
5 to Laos of would-be asylum seekers, and should lodge
6 strong and continuous protests with the Thai Govern-
7 ment to bring about an end to these repatriations,
8 which endanger the life and safety of those involuntar-
9 ily returned to Laos;

10 (5) the United States will try to facilitate on a
11 high priority basis the resumption of the Orderly De-
12 parture Program from Vietnam and the processing
13 Amerasians from Vietnam; and

14 (6) within the Orderly Departure Program the
15 United States will give high priority consideration to
16 determining the eligibility of serious health cases and
17 cases involving children separated from both parents.

18 **SEC. 513. POLICY TOWARD SOUTH KOREA.**

19 (a) **FINDINGS.**—The Congress finds that—

20 (1) the American people have an enduring com-
21 mitment to the freedom of the Korean people, demon-
22 strated by the sacrifices of the United States during
23 the Korean War, by the ongoing defense treaty rela-
24 tionship between the United States and the Republic of
25 Korea, including the stationing of nearly 40,000

1 United States troops in the Republic of Korea, and the
2 provision by the United States of more than \$12 billion
3 in economic and military aid since 1953;

4 (2) the Republic of Korea's increasing role in the
5 international economy has not been matched by a com-
6 mensurate increase in the enforcement of internation-
7 ally-recognized standards in civil and political rights;

8 (3) genuine democracy, governmental respect for
9 internationally-recognized human rights, and internal
10 stability together with effective defense forces best
11 guarantee the security of the Republic of Korea
12 against the threat of aggression from North Korea;

13 (4) a peaceful, democratic transition of govern-
14 mental power could become the political landmark that
15 will secure the path toward genuine democracy for
16 South Korea;

17 (5) such a peaceful transfer of power is endan-
18 gered by abandonment of efforts to agree on timely
19 constitutional reforms essential for free and fair na-
20 tional elections;

21 (6) the peaceful transfer of governing power prom-
22 ised for 1988 threatens to become a purely cosmetic
23 exercise which could dash the hopes of millions of
24 South Koreans and give rise to increased domestic
25 unrest in that nation; and

1 (7) large numbers of citizens of the Republic of
2 Korea have expressed dissatisfaction with the severe
3 limits imposed by the authorities on freedom of expres-
4 sion and access to the political process.

5 (b) POLICY.—It is the sense of the Congress that—

6 (1) the United States recognizes and supports the
7 desire of the Korean people to achieve a level of politi-
8 cal development commensurate with their outstanding
9 economic, social, and cultural achievements;

10 (2) the deep interest of the United States in de-
11 fending the Republic of Korea's sovereignty, as well as
12 in securing democracy and human rights, would be
13 best served by the peaceful establishment of genuine
14 democratic institutions;

15 (3) the United States values and takes very seri-
16 ously President Chun Doo Hwan's commitment to ini-
17 tiate the first peaceful transition of executive power in
18 the Republic of Korea's history by stepping down in
19 March 1988;

20 (4) the United States deplores the decision of the
21 Chun government on April 13, 1987, to abandon ef-
22 forts to agree on constitutional reforms essential to a
23 meaningful and peaceful transfer of power;

24 (5) the necessary condition for achievement of a
25 genuine democracy in the Republic of Korea is flexibil-

1 ity and fairness by all parties to the constitutional
2 reform negotiations in designing an electoral system
3 which can give the people of that nation confidence
4 that the outcome of elections will reflect their will;

5 (6) the necessary conditions of such elections are
6 freedom of expression, freedom of the press, respect for
7 due process of law, an independent judiciary, an end to
8 the use of torture, the release of all political prisoners,
9 the restoration of full political and civil rights, and
10 legal guarantees for the proper and humane treatment
11 of all political detainees; and

12 (7) the United States calls on the government of
13 the Republic of Korea to reconsider urgently its deci-
14 sion to suspend discussion of constitutional reform and
15 resume the search for a peaceful agreement among
16 Korean parties on this issue in the spirit of compromise
17 essential to democracy.

18 **SEC. 514. POLICY TOWARD NORTH KOREA.**

19 (a) **FINDINGS.**—The Congress finds that—

20 (1) North Korea is one of the world's most regi-
21 mented and totalitarian nations and its government
22 comprehensively suppresses basic human rights;

23 (2) the North Korean regime has been directly im-
24 plicated in acts of international terrorism, including the
25 October 1983 bombing attempt on the life of the presi-

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1 dent of the Republic of Korea during his state visit to
2 Burma, which resulted in the death of 17 people,
3 including 4 Republic of Korea cabinet ministers;

4 (3) in 1985 North Korea unilaterally suspended
5 negotiations with the Republic of Korea which were
6 aimed at reducing tensions on the Korean peninsula;

7 (4) North Korea is constructing a large dam on
8 the North Han River which poses a potential threat to
9 the city of Seoul; and

10 (5) the United States remains firmly committed to
11 the security of the Republic of Korea and will take all
12 necessary measures to help defend it against foreign
13 aggression.

14 (b) POLICY.—It is the sense of the Congress that North
15 Korea should—

16 (1) take steps to cease its domestic political
17 repression and denial of basic human rights;

18 (2) end its support for international terrorism;

19 (3) accept the Republic of Korea's call for uncon-
20 ditional resumption of negotiations aimed at easing ten-
21 sions on the Korean peninsula; and

22 (4) consider other steps to ease tensions between
23 North and South and reduce North Korea's interna-
24 tional isolation, including a commitment to participate

1 in the 1988 Olympic Games in Seoul and to refrain
2 from any action to disrupt them.

3 **SEC. 515. POLICY AGAINST PERSECUTION OF CHRISTIANS IN**
4 **EASTERN EUROPE AND THE SOVIET UNION.**

5 (a) **FINDINGS.**—The Congress finds that—

6 (1) on August 1, 1975, the Final Act of the Con-
7 ference on Security and Cooperation in Europe was
8 signed at Helsinki, Finland, by thirty-three European
9 countries, together with Canada and the United States;

10 (2) the signatories of the Helsinki Final Act com-
11 mitted themselves under Principal VII to “respect
12 human rights and fundamental freedoms, including the
13 freedom of thought, conscience, religion, or belief, for
14 all without distinction as to race, sex, language, or
15 religion”;

16 (3) persecution of individuals on the basis of reli-
17 gious beliefs and cultural heritage is in direct violation
18 of the commitments to freedom of thought, conscience,
19 expression, and religion made by the Union of Soviet
20 Socialist Republic (hereafter in this concurrent resolu-
21 tion referred to as the “USSR”) and by the countries
22 of Eastern Europe as the signatories of the United Na-
23 tions Universal Declaration of Human Rights, the
24 Final Act of the Conference on Security and Coopera-
25 tion in Europe, and the Madrid Concluding Document;

1 (4) in Albania, the only officially atheistic country
2 in the world, the Constitution of which outlaws religion
3 and defines all religious activities as criminal acts,
4 there are documented cases of executions and murders
5 of clergy and believers;

6 (5) in Bulgaria, where the Constitution of 1971
7 specifically guarantees freedom of religion, the organi-
8 zation of branches, missions, convents and charitable
9 institutions of religious associations having headquar-
10 ters or centers located abroad is nevertheless prohibit-
11 ed (by article 23 of the law of February 26, 1949), re-
12 ligious instruction to persons under sixteen years of
13 age is prohibited, courts are authorized (by the Law on
14 Family of March 15, 1968) to remove children from
15 families that do not comply with the demand that
16 "education of children be conducted in the spirit of so-
17 cialism and communism," and special benefits are be-
18 stowed on individuals who renounce religion, while
19 those who adhere to religious beliefs are severely har-
20 assed and imprisoned;

21 (6) in Czechoslovakia, where citizens are constitu-
22 tionally guaranteed freedom of religion and "perform-
23 ance of religious rites, so long as it does not contradict
24 the law," all churches and religious organizations are
25 nevertheless subject to the control of a Secretariat for

1 Religious Affairs that has "normative, guiding and con-
2 trolling powers in all church and religious affairs,"
3 clergy are prohibited from serving the church without
4 state license issued only after thorough investigation
5 and revokable without explanation or right of appeal,
6 all religious orders of brothers and nuns have been pro-
7 hibited for decades from accepting new members and
8 could soon die out, practicing Christians are discrimi-
9 nated against in housing, employment, and education,
10 secret government agents are frequently present at
11 church services, clergy are offered bribes to join reli-
12 gious "peace" movements which closely collaborate
13 with the government, and many clergy and church
14 members are invited to cooperate with the secret
15 police;

16 (7) in the German Democratic Republic, where
17 freedom of religion is guaranteed "in agreement with
18 the Constitution and legal regulations in the GDR" by
19 article 39 of the Constitution of 1968, religious educa-
20 tion for Christian children is nevertheless officially dis-
21 couraged so that teenagers receiving such education
22 are often treated as second-class citizens, young people
23 are forced to participate in the Communist ceremonies
24 of "youth consecration" and required to pledge alle-
25 giance to Marxism-Leninism, and conscientious objec-

1 tors and organizers and members of the unofficial
2 peace movement, almost all practicing Christians, are
3 persecuted;

4 (8) in Hungary, where the Constitution guaran-
5 tees the equality of all citizens, provides that discrimi-
6 nation of citizens on the ground of religious faith is a
7 punishable offense, guarantees freedom of conviction
8 and freedom of religious worship, and decrees separa-
9 tion of church and state, all churches are nevertheless
10 supervised and controlled by the State Office for
11 Church Affairs of which special departments oversee
12 the activities of individual districts and report their ob-
13 servations to the headquarters in Budapest, the State
14 Office for Church Affairs exclusively appoints clergy
15 and faculty of theological schools, admission of candi-
16 dates for theological studies is drastically curtailed, and
17 members of the "basic communities" are occasionally
18 harassed for their independent religious activities;

19 (9) in Poland, where the Constitution guarantees
20 freedom of religion and separation of church and state,
21 and where, in 1982, the Patriotic Movement of Nation-
22 al Renewal—a coalition of the Polish United Workers
23 Party and its adjunct small political parties—declared
24 equality under law for all citizens, activist priests and
25 believers, primarily members of the Solidarity move-

1 ment, have nevertheless become targets of persecution,
2 and the Catholic Church operates under significant im-
3 pediments in its pursuit of charitable, religious, and
4 humanitarian goals;

5 (10) in Romania, where the Constitution guaran-
6 tees freedom of religion, the Ministry of Cults is never-
7 theless granted (by article 51 of the Law on Rituals of
8 1948) "unrestricted control of church teachings and
9 church administration," contacts with religious associa-
10 tions abroad is prohibited (by article 40 of such law)
11 unless authorized by the Ministry of Cults and the Min-
12 istry of Foreign Affairs, the Romanian Orthodox
13 Church, the second largest Orthodox church (after the
14 Orthodox Church in the USSR) with some sixteen mil-
15 lion members (out of twenty-one million Romanian citi-
16 zens), is still tightly controlled by the government de-
17 spite its special national status and some members of
18 such Church suffer persecution, Catholics and Protes-
19 tants are generally members of national minorities
20 (Hungarians and Germans) that are frequent targets of
21 persecution and discrimination especially in the prov-
22 inces of Transylvania and Moldavia, the Uniate Church
23 was officially and forcibly abolished and its members
24 transferred to the Orthodox Church by government
25 fiat, religious instruction is discouraged and restricted,

1 religious instructors are not permitted to use any
2 teaching aids and reading materials, agents of secret
3 police shadow religious believers and clergy, trials of
4 churchmen are frequent, and the government has en-
5 gaged in the physical destruction of churches of all
6 faiths regardless of their inestimable historical and cul-
7 tural value;

8 (11) in Yugoslavia, where (although officially
9 atheistic) authorities assert that there is wide tolerance
10 of religious activities, the government has nevertheless
11 responded to growing demands by the citizenry for
12 more religious instruction for children by recently pro-
13 posing a law providing for fines ranging from 2,000 to
14 20,000 dinars or thirty days in prison for persons "per-
15 forming a religious ceremony where it is not permitted
16 by law," and any citizen using a radio or film to
17 spread religious material is subject to a fine ranging
18 from 10,000 to 100,000 dinars;

19 (12) in the USSR, where article 124 of the Con-
20 stitution guarantees both the freedom of religious faith
21 and the freedom of atheism, the right to conduct athe-
22 istic propaganda is nevertheless fully realized while the
23 right of evangelization is not extended to religious de-
24 nominations and organizations, "religious propaganda"
25 (defined by government authorities at various times to

1 include sacred books, hymnals, prayer books and reli-
2 gious literature, as well as rosaries, pictures of saints,
3 and other religious articles) is banned, the teaching of
4 religion to persons under eighteen years of age is pro-
5 hibited, practicing members of any religion cannot be
6 appointed or elected to public offices or positions of in-
7 fluence and leadership and such members have no rep-
8 resentation in any administrative and legislative bodies
9 or educational and cultural institutions, the Ukrainian
10 Catholic Church has been abolished, the Lithuanian
11 Catholics and Latvian and Estonian Lutherans are sub-
12 jected to religious and ethnic persecution, and police
13 force is used to suppress religion;

14 (13) under the oppressive conditions in existence
15 in the USSR and Eastern Europe, some clergy, church
16 officials, and church members consent, however reluc-
17 tantly, to collaborate with the government, allowing
18 the government to involve such individuals and their
19 churches in the service of the Communist system
20 through such organizations as the PAX association in
21 Poland, the Pacem in Terris Peace Movement of
22 Catholic clergy in Czechoslovakia, the Religious Cir-
23 cles Convocation (a new entity associated with the
24 World Peace Council), and, most notably, the Christian
25 Peace Conference, the headquarters of which are in

1 Prague, Czechoslovakia, but the control of which is in
2 the Kremlin; and

3 (14) the Christian Peace Conference is both pro-
4 Soviet and undemocratic, the activities, orientation,
5 and rhetoric of which remain biased in favor of the
6 USSR, Cuba, other Marxist states, the PLO, and the
7 theology of liberation, such that no condemnation of
8 the Soviet aggression against Afghanistan, of the
9 Soviet interventions in Ethiopia, Angola, and Mozam-
10 bique, and of the Soviet violations of human rights in
11 the Communist-dominated countries is allowed.

12 (b) POLICY.—Because the Congress is deeply disturbed
13 by and opposed to the increased harassment of clergy and
14 members of Christian faiths, as well as the use of clergy and
15 believers on behalf of Soviet foreign policy goals, it is the
16 sense of Congress that—

17 (1) the President of the United States should con-
18 tinue to express to the governments of the USSR and
19 Eastern European countries the deep concern and op-
20 position of the United States with respect to the har-
21 assment of Christians;

22 (2) the governments of the USSR and Eastern
23 European countries should comply with their commit-
24 ments under the United Nations Universal Declaration
25 of Human Rights, the Final Act of the Conference on

1 Security and Cooperation in Europe, and the Madrid
2 Concluding Document; and

3 (3) the governments of the USSR and Eastern
4 European countries should immediately cease persecut-
5 ing individuals on the basis of their adherence to their
6 Christian faiths and should afford them their fundamen-
7 tal human rights of religious expression.

8 **SEC. 516. CONCERNING OBSERVANCE BY THE GOVERNMENT**
9 **OF ROMANIA OF THE HUMAN RIGHTS OF HUN-**
10 **GARIANS IN TRANSYLVANIA, ESPECIALLY THE**
11 **RIGHT OF SELF-DETERMINATION.**

12 (a) **FINDINGS.**—The Congress makes the following
13 findings:

14 (1) The Government of Romania has entered into
15 treaties and accords (including the 1947 Paris Treaty
16 of Peace with Romania, the International Covenant on
17 Civil and Political Rights, the International Covenant
18 on Economic, Social, and Cultural Rights, and the
19 1975 Helsinki Final Act of the Conference on Security
20 and Cooperation in Europe) which guarantee the
21 human rights of its citizens without any discrimination
22 as to religion and national origin.

23 (2) The Constitution of the Socialist Republic of
24 Romania ensures far-reaching rights to the “co-inhabit-
25 ing nationalities” in Romania.

1 (3) The province of Transylvania, which has
2 2,500,000 Hungarians and which had constituted part
3 of Hungary for a millennium, was originally ceded to
4 Romania by the 1920 Trianon Treaty.

5 (4) The fate of the Hungarians in Transylvania
6 has been systematic denationalization under the various
7 Romanian Governments, whether Royalist, Fascist, or
8 Communist.

9 (5) The Government of the Socialist Republic of
10 Romania and its regional and local authorities pursue a
11 policy of denationalization toward the Hungarians and
12 people of other nationalities in Transylvania by meas-
13 ures approximating ethnocide, including—

14 (A) the destruction of Hungarian language
15 schools and the Hungarian Bolyai University (still
16 in existence in 1958) and the replacement of these
17 schools by a steadily declining number of Hungar-
18 ian sections in Romanian schools,

19 (B) the destruction, or the making inaccessi-
20 ble to the public and scholars, of the documents of
21 the Hungarian past of Transylvania, and

22 (C) the conscious dispersion of the Hungarian
23 intelligentsia into Romanian areas and the settle-
24 ment of large numbers of Romanian colonists into
25 the Hungarian areas of Transylvania.

1 (6) The Socialist Republic of Romania actively
2 interferes with the internal affairs of all its religious
3 communities, severely limiting or banning all their
4 social and teaching activities and discriminates against
5 their members in employment, education, and promo-
6 tion, particularly with regard to the members of the
7 Catholic and Protestant churches which are composed
8 of Hungarians and Germans.

9 (7) The 2,500,000 Hungarians in Transylvania
10 are entitled to the rights protected under the Helsinki
11 Final Act of the Conference on Security and Coopera-
12 tion in Europe.

13 (b) SENSE OF THE CONGRESS.—The Congress deplores
14 activities of the Government of the Socialist Republic of Ro-
15 mania denying the rights of the Hungarians and people of
16 other nationalities in Transylvania.

17 **TITLE VI—EFFECTIVE DATE**

18 **SEC. 601. EFFECTIVE DATE.**

19 Except as otherwise provided in this Act, this Act, and
20 the amendments made by this Act, shall take effect on its
21 date of enactment.

Calendar No. 173 /

100TH CONGRESS
1ST SESSION

S. 1394

[Report No. 100-75]

A BILL

To authorize appropriations for fiscal year 1988 for the Department of State, the United States Information Agency, the Board for International Broadcasting, and for other purposes.

JUNE 18, 1987

The Committee on Foreign Relations, reported the following original bill; which was read twice and placed on the calendar